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THE HISTORY

OF

THE CONSOLIDATION

OF THE

CITY OF PHILADELPHIA.

BY ELI K. PRICE.

PHILADELPHIA:
J. B. LIPPINCOTT & CO.
1873.

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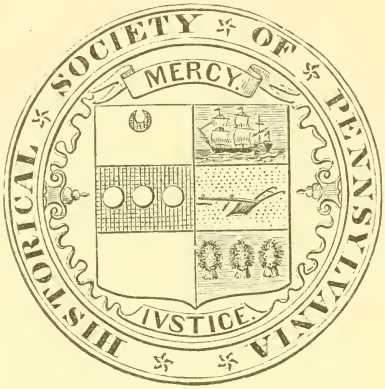
PREPARED IN ACCORDANCE WITH A REQUEST

OF

THE HISTORICAL SOCIETY OF PENNSYLVANIA.



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Dedication.

To the venerated Senior of the Philadelphia Bar, who is yet, at great age, spared by a kind Providence, to shed a lustre upon our profession, this brief history is dedicated. Though not personally an actor in the work of consolidation, the counsel and countenance of HORACE BINNEY were invaluable to his active juniors, and with the public largely influential. With the writer his opinion was authoritative to induce him to submit to the demand of his fellow-citizens to represent them in the Senate. It is fitting, therefore, that this report of the stewardship of their representatives should be presented to HORACE BINNEY, and that the actors in the work achieved should claim for it the protecting influence of his name through later generations. To his acceptance, then, and to the favorable regards of the writer's associates in preparing and carrying the Act of Consolidation, and to the safekeeping of the Historical Society of Pennsylvania, he commits this history, in the hope that it may be preserved in the remembrance of the Citizens of Philadelphia.

ELI K. PRICE.

DECEMBER, 1872.

HALL OF THE HISTORICAL SOCIETY OF PENNSYLVANIA, No. 820 SPRUCE STREET,
PHILADELPHIA, October 30th, 1872.

DEAR SIR,—It gives me pleasure to inform you that, on motion of Mr. WALLACE, the following resolution was unanimously adopted at the stated meeting of the Historical Society of Pennsylvania, October 28th, 1872:

Resolved, That the Hon. ELI K. PRICE be respectfully requested to prepare, for the use of the Society, a history of the Consolidation of the various corporations, boroughs, districts, or other municipal bodies which now, in their united form, constitute the City of Philadelphia, and that a copy of this resolution be sent to Mr. Price.

In the hope that you will be able to comply with the wishes of the Society so unanimously expressed,

I am, dear sir,

Very respectfully,

JAMES SHRIGLEY,
Secretary of Council.

Hon. ELI K. PRICE.

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THE HISTORY OF THE CONSOLIDATION

OF THE

CITY OF PHILADELPHIA.

CHAPTER I.

THE FIRST AND SECOND CHARTERS OF THE CITY.

William Penn landed at New Castle, from the ship *Welcome*, on the 24th day of October, 1682. The first Assembly was held at Upland,—now Chester,—from the 4th to the 7th of December, 1682, and then and there "The Great Law" was passed.

By the "Conditions and Concessions" agreed upon by William Penn and the First Purchasers, in England, the 11th of July, 1681, it was agreed:—"First; That so soon as it pleaseth God that the above persons arrive there, a certain quantity of Land or ground Plot shall be laid out for a large Town or City, in the most convenient place upon the river for health and navigation; and every Purchaser and Adventurer shall, by lot, have so much land therein as will answer to the proportion which he hath bought, or taken up upon Rent." "II. That the land in the Town be laid out together after the proportion of Ten thousand acres of the whole country, that is, Two

hundred acres, *if the place will bear it.*" "V. That the proportion of lands that shall be laid out in the first great Town or City, for every Purchaser, shall be after the proportion of Ten acres for every Five hundred acres purchased, *if the place will allow it.*"

The survey of the Town had been in hand by Thomas Home, under instructions from William Penn, in 1681 and 1682; and on the 30th day of the Second month (then April, as December had been called Tenth month), he issued his Warrant to Thomas Holme, William Haige, John Bezer, and Nathaniel Allen, to see the lots surveyed awarded to the purchasers. It is obvious that these lots were much less than the proportion mentioned in the "Concessions," as the size of the Town did not allow of lots so large; but Liberty lots were allotted of much larger size. (See John Reed's Map.)

William Penn, on the 16th of the Sixth month, 1683, wrote: "Philadelphia, the expectation of those that are concerned in this Province, is at last laid out to the great content of those here that are anyways interested therein." And "this I will say, for the good providence of God, that, of all the many places I have seen in the world, I remember not one better seated." "It is advanced, within less than a year, to about four-score houses and cottages." And Thomas Holme, the Surveyor-General, in his advertisement for purchasers, says: "The City of Philadelphia now extends from river to river, two miles, and in breadth near a mile; and the Governor, as a further manifestation of his kindness unto the purchasers, hath freely given them their respective lots in the City,

without defalcation of any of their quantities of purchased lands, and as it is now placed and modelled between two rivers upon a neck of land, and that ships may ride in good anchorage in six or eight fathom water in both, close to the City, and the land of the City level, dry and wholesome; such a situation is scarce to be paralleled. The model of this City appears by a small draft now made, and may hereafter, when time permits, be augmented." Two square miles made the town plot 1280 acres.

But Philadelphia was not at first legally incorporated as a City. At a Council held at Philadelphia the 26th of Fifth month, 1684, present, William Penn, Proprietary and Governor, and ten in Council, "Thomas Lloyd, Thomas Holmes, William Haigue, appointed to draw up a Charter for Philadelphia to *be made a Borough*, consisting of a Mayor and six Aldermen, and to call to their assistance any of the Council."

The first Charter to Philadelphia, *as a City*, was that granted by William Penn on the 25th of October, 1701, and its preamble calls the place "this town of Philadelphia;" and he thereby erected "said town and *borough* of Philadelphia into a City." That Charter remaining in force, the City of Philadelphia was recognized in establishing the basis of Legislative representation, by the Constitution of 1776. It was replaced by the Charter of 11th of March, 1789, and this was in like manner recognized by the State Constitution of 2d of September of 1790, and the Constitution of 22d of February, 1838. The Charter of 1789 and its supplements continued in force until

modified and extended by the Act of Consolidation; and the area was but the two square miles until so extended.

That Charter of the City might be endured in its simplicity while its population was small, with its improvements, works, and police in the same proportion; when its hundred or less watchmen sufficed for an orderly people; when its streets were lighted with oil, and it had not begun its water-works, or had them upon the smallest scale, with wooden pipes,—but, when the City and Districts grew to nearly half a million, and the latter were yet rapidly growing, and together they were more populous than many of our States, a Constitution more fitted to the requirements of a Commonwealth, in the character and number of its provisions, became a necessity, in the minds of those who looked into the future of Philadelphia. Thus had been its population:

YEAR.	CITY.	CITY AND COUNTY.
1753	14,563	According to Dr. Mease's statement.
1760	18,756	
1769	28,043	
1790	28,522	Do. U. S. Census.
1800	41,220	81,005
1810	53,722	111,210
1820	63,802	137,097
1830	80,458	188,961
1840	93,665	258,037
1850	121,376	409,045
1860	.....	565,529
1870	.....	674,022

The growing disparity, between the City of two square miles and the residue of the County, is apparent from the above table of populations; and every year it would but increase, by the conversion of dwellings into warehouses and stores, within the former, thus ultimately to give all the increase of population outside the City, while the same fixed

limits would restrict the City from any territorial extension of the basis of taxation. In time Philadelphia would be outside the City, as the great London is outside of the little City of London. This was an instance of English resistance of change, partaking the character of Chinese fixedness, not to be imitated by progressive Americans, who always feel themselves competent to change their laws and Constitutions as may be required by the change of circumstances, without danger to the vested rights of property, or the stability of government.

CHAPTER II.

MEASURES THAT PRECEDED AND PRODUCED CONSOLIDATION.

As the town extended beyond the City bounds, adjoining corporate Districts were formed by the Legislature for the government of their local affairs, until these greatly exceeded the area and population of the parent city. These Districts were incorporated in the following order: Southwark, the 26th of March, 1762; The Northern Liberties, the 9th of March, 1771; Moyamensing, the 24th of March, 1812; Spring Garden, the 22d of March, 1813; Kensington, the 6th of March, 1820; Penn, the 28th of February, 1844; Richmond, the 27th of February, 1847; West Philadelphia, the 3d of April, 1851; Belmont, the 14th of April, 1853. From these different jurisdictions many inconveniences arose, and immunity was given to crime. For nearly ten years before the remedy was attained a number of influential citizens sought a reform. A Town Meeting was called for November 16th, 1849, by the following persons:

John Swift,
Josiah Randall,
Clement C. Biddle,
A. M. Prevost,
William Rawle,
Garrick Mallery,
Chapman Biddle,
Henry A. Beck,
William West,
L. Johnson,
Mahlon Gillingham,
Thomas Finley,

John Cadwalader,
William S. Charnley,
G. G. Westcott,
David Paul Brown,
Benjamin Mifflin,
Francis Wharton,
Samuel H. Perkins,
Jacob Carrigan, Jr.,
Jno. M. Kennedy,
James Durnell,
Jacob Freas,
Edwin R. Cope,
John W. Kester,
David Boyd,
George W. Tryon,
Jno. M. Ogden,
P. P. Morris,
M. Myers,
Thomas McGrath,
Thomas Bradford,
F. Stoever,
Jno. Leadbeater,
George C. Naphes,
John G. Brenner,
William G. Cochran,
Jno. H. Dohnert,
C. L. Ingram,
Henry M. Watts,
William Elder,
Henry D. Gilpin,
A. Boyd Hamilton,
Henry S. Patterson,
Henry Horn,
George H. Earle,
James Laws,
George W. Biddle,
Jacob Snider, Jr.,
Theodore Cuyler,
B. Arthur Mitchell,
St. George T. Campbell,
William L. Hirst,
Benjamin Stiles,
Eli K. Price,
John Naglee,
Andrew Miller,
William H. Smith,
William White,
Jacob Esher,
James Magee,
Jno. H. Campbell,
George W. Farr,
E. S. Jones,
T. M. Pettit,
J. B. Sutherland,
Samuel Barton,
Daniel Smith, Sr.,
William McGlensey,
W. C. Parker,
B. H. Brewster,
Peter Ambruster,
William R. Dickerson,
Jno. M. Coleman,
Peter Fritz,
James Harper,
E. P. Middleton,
Thomas Sparks,
George K. Childs,
Harry Connelly,
Passmore Williamson.

An Executive Committee was appointed by a general meeting of the Citizens, and continued by another such meeting in 1850, to wit:

John Cadwalader,
Eli K. Price,
Gideon G. Westcott,
Charles L. Ingram,
John M. Read,
John M. Coleman,
Henry L. Benner,
John M. Ogden,
Francis Tiernan,
William White,
George W. Tryon,
Job R. Tyson,
John G. Brenner,
Josiah Randall,
William L. Hirst,
Henry M. Watts,
John H. Dohnert,
John M. Kennedy,
Edward A. Penniman,
Jacob F. Hoeckley,
Thomas S. Smith,
Peter Williamson,
Alexander Cummings,
Jacob Esher,
Christopher Fallon,
Michael Pray.

Chief Justice John M. Read had collected and published the statistics of the City, Districts, and County, their taxables, assessed values, indebtedness, dates of incorporation, etc., and was an early and sincere friend of the cause.

The Committee addressed a Memorial to the Legislature of 1851. Among other things it says:

"Uninfluenced by either personal or political bias, and prompted by a sense of the public welfare only, this Committee, composed of men of all parties, earnestly commend this measure to the favorable action of the Legislature."

"That the disastrous and destructive mobs of 1844 developed the necessity of a more united and efficient Police than then existed in the city and districts of Philadelphia, and, in November of that year, a Town Meeting of citizens favorable to consolidating the city and districts into a single city was held, at which meeting resolutions in favor of the measure were passed. A committee being appointed to draft a bill, discharged their duty; submitted the bill pre-

pared by them to a subsequent Town Meeting, where it was adopted and ordered to be presented to the Legislature."

The Committee had, in September, 1850, addressed notes to the candidates of the different political parties for the Legislature. Some gave unqualifiedly favorable responses; others with the qualification that a vote of the people should be taken on the question.

John Cadwalader and Eli K. Price were sent to Harrisburg to represent the evils under which our community suffered, and to advocate the passage of a Consolidation bill. The members of both branches of the Legislature, generally, met them in the Hall of the Representatives, and gave them a respectful hearing, but no legislation on that subject then ensued. It was a step in preparation for the future. Judge Cadwalader was then and always a true and able advocate for consolidation.

Late in the spring of 1853 a number of influential citizens met at the Exchange to devise means to check the disorders occasioned by the volunteer Fire Companies, and in favor of a paid Fire Department. They perceived no remedy short of stringent legislation. There were present Stephen Colwell, Frederick Fraley, William Welsh, Horace Binney, Jr., William L. Rehn, Peter McCall, James Page, M. W. Baldwin, Wm. V. Pettit, Thomas S. Newlin, Job R. Tyson, Jos. B. Townsend, Daniel M. Fox, Saml. V. Merrick, John Miller, John Farnum, Wm. P. Jenks, Joshua L. Hallowell, S. D. Anderson, Henry Farnum, H. L. Benner, John T. Smith, Saml. Megargee, Isaac P. Morris, Eli K. Price.

That Committee insisted that Eli K. Price should make the sacrifice to represent the City in the Senate, and Horace Binney, Jr., brought to him the following letter from his father, which clearly sets forth the evils that were felt to exist by himself and the thoughtful and patriotic citizens of Philadelphia, and the necessary means of obtaining success. Mr. Binney had deliberated well and long before he came to his conclusion; but the intolerable evils overcame the natural aversion to change, and he saw that nothing less than consolidation would afford an adequate cure of our ills.

"My dear Horace,—I regard all the objects of local and immediate interest, at this time in the City, as much more intimately connected by intrinsic relations than they are by mere cotemporaneousness. The fire department, the groggery system, the venal selection of candidates for office by bargains, express or implied, for the benefit of the wire-workers, and the tax collection system, all act upon, and are acted upon by each other. Those, therefore, who are of the same mind as to one or two of these may very properly unite in the reform ticket with those who are more interested in the other subjects. Their combined force is necessary to gain the end proposed, and there is nothing in the success of a part of the measures desired that can make the others less likely to succeed in the end, or aggravate present evils of any kind. I incline to think that the objects all hang together, and must fail or succeed together. I myself take more interest in the suppression of some of the

mischiefs referred to than in the suppression of the others; but I am willing to unite with all who desire reform in any of them, and in the choice of respectable men, whose fair judgment and efforts will be given to reform in all of them. I have come to the opinion that we must have a united power through all the parts of our City and districts to make any of these reforms attainable; and therefore although in the beginning I opposed what is called consolidation, and both wrote and spoke against it, and still think that it will have its specific evils or inconveniences, yet its highly probable effect will be to put down certain very gross abuses of recent years, and therefore I no longer oppose it. Indeed, in some respects, the grounds of my opposition have become obsolete. That has already happened in the City which I feared consolidation would bring about; and consolidation, under a good charter, may now tend to prevent further progress in the same bad course.

"I am not, however, very sanguine, but surrender all my objections for the sake of union in the objects I have mentioned.

"Unless we succeed, the whole and all its parts will become remarkable for the evils they will show rather than for any good.

"To succeed in such an effort as is now making, it is indispensable that men of undoubted and established weight in the City should not only give their names and votes, but their services, and some portion of their personal convenience and comfort, to the furtherance of the common purpose. Your object is a highly respectable list of candidates for the State

Legislature, and you cannot succeed without it. Respectable names in the general sense will not answer. They must be so in all senses. There must be a weight in the ticket sufficient to counterpoise a great deal of bad combination, and to crush a good deal of corrupt intrigue. The ticket must be one, in fine, that will test the virtue of the City, and ascertain whether there is enough in it to be capable of restoration. I believe there is, and that a proper ticket will find it out, and bring it out.

"Some of the names of candidates you have mentioned to me are excellent. They are men who are named for the occasion, to help the City, not to help members, nor to help their party or personal friends.

"I should think your battle would be half won if you could place Eli K. Price's name, with his consent, at the head of your list.

"His name is a pledge already given, and not likely to be forfeited, for qualities specially necessary at such a time and on such an occasion,—experience in civil affairs, general knowledge, talents, integrity, moral courage, constancy, and conscientiousness. He has, moreover, great *practicalness* and facility that enable him to impress other minds with his own convictions. If the election shall be gained in the City, the cause is to be won in the Legislature,—and to be won by appeals to reason, to practical good sense, and to moral principles, in the representatives from the country. I dare say the post may be inconvenient to him; but my opinion of him is, and always has been, that if he is satisfied that it is his duty, or even that old friends, the friends at the same time of public

order and morality, think it is his duty, he will make the sacrifice; and he is a man who will be the happier afterwards for having made it. You are at liberty to tell him all this from me. If he thinks of me as I do of him, I do not believe it will do you any harm. He will at least consider it carefully, and not suffer any slight objection to hold him back from what is so important to the cause. Please to remember what I tell you, that your ticket must be such that men of virtue in the City will say at once that all the objects desired by the mission of such men must be good, and of the first importance to the City; and then they will sustain it in spite of existing combination.

"Affectionately yours,

"HORACE BINNEY.

"H. BINNEY, Jr., Esq.

"SOUTH FOURTH STREET, 23 June, 1853."

Mr. Binney, Jr., brought this letter to Mr. Price, and left it, as intended for him, and at the same time expressed his own views in a very impressive manner, concluding them with the solemn remark, "You are now in the hands of God and the people, and they look to you to perform this duty." Mr. Price had said to a sub-committee that he would as lieve they had asked him to strike off an arm; but such appeals from his highly valued fellow-citizens, and his own abiding sense of the great evils to be remedied, caused him to surrender his own inclinations, and to make the demanded sacrifice.

But Mr. Price consented to run only on condition that all the reformers should go with him for the

Consolidation of the City and district corporations; a measure of which he had been an advocate for several years. The friends of the demanded reforms then met in a nominating Convention, and on the 30th of July, 1853, nominated Eli K. Price for the Senate, and Matthias W. Baldwin and William C. Patterson for the House of Representatives. Mr. Price expressed in the following letter the terms of his acceptance of the nomination. In convention Jos. B. Townsend read the following letter from Eli K. Price:

"GENTLEMEN,—It is with sincere regret that I find myself appealed to by citizens, whose opinion is authoritative with me, to allow my name to be used as a candidate for the Senate of Pennsylvania. A private station has been the chosen purpose of my life, from which I expected no influence could ever move me, and I can only leave it at large sacrifice to my business and my happiness. Were I sure of a defeat, it would be an easy task and welcome duty thus to manifest, at so cheap a cost, a willingness to aid the great and good measures you have in view; and I should esteem it incomparably more honorable to fail under your nomination than to attain a triumph that would pledge me to the perpetuation of existing evils. Against these, indeed, I should wish with the smallest minority, or even standing alone, to make my solemn protest, and at least obtain an exculpation from a participation in their continuance. But I cannot doubt that the body of our fellow-citizens, if sufficiently unfettered by party trammels, would desire the reform of existing abuses, and would will their

correction. They must feel them to be dangerous to the peace and prosperity of our community, and to the purity and permanence of our political institutions. There is a deep-seated, painful, and pervading conviction that there has long existed, and yet exists, a disloyalty to the principles of our republican government, that if not checked and corrected by the virtue of the people must prove fatal to it; and the patriotic bosom is wounded and incensed in the belief that much bad legislation is from year to year produced and good prevented by other influences than a single regard to the public welfare. It will be for the people to determine whether they will now apply the needed remedy or leave abuses to ripen for a day of severer retribution.

"The exercise of the elective franchise has become almost valueless, since the citizens are under a compulsion to vote for those whom they do not approve, or vote not at all. In the inceptive movement of ward meetings to choose delegates to nominate candidates for the votes of the people, the active force usually consists of office-holders and office-seekers and their adherents; the delegates nominate to please those who send them into the nominating convention; and thus the public servants virtually perpetuate their own power, and become the public masters; and when the people appeal to the Legislature for a redress of grievances, they are taunted with the question, How many delegates can you send to the Conference? If you are part of the working machinery of party, you may expect there to be favorably heard; but if only quiet and unobtrusive citizens, anxiously

concerned to secure the peace, welfare, and reputation of the community, it implies great simplicity to expect, at your solicitation, a redress of aggravated evils.

"Thus, in the comparatively small matter of the compensation for the collection of the taxes, every effort for a change for years past has been abortive, because the collectors and their friends can manage to send enough delegates to the nominating body to decide who shall be the candidates for the Legislature, and *their* chosen representatives will not alter the law to allow the people to pay their own taxes to a general receiver, and thus retain and save to themselves the five per cent. on the taxes now paid to the collectors.

"And likewise in respect to the subject which has claimed your special attention, the evils resulting from the present means of extinguishing fires, appeal has been made in vain for legislative correction. Those who become Legislators by the mere operations of party machinery, moved for selfish ends either expressed or implied, cannot afford to risk the loss of the support of a few thousand firemen, forgetting that a majority of these must, as good citizens, also lament existing evils, and would not be averse to their reform. These cannot but know and feel that our community and its prosperity suffer irreparable disgrace and injuries by the disorders, riots, and bloodshed incident to our plan of putting out fires, and that they owe a paramount obligation to the public welfare and the maintenance of the authority of the law. They must know and feel that our form of government must fail in its purposes if every citizen

cannot know that he has a legal right to be protected from the dangers of fire as well as to be secure in his person and property from the attacks of the midnight robber, beyond the possibility of a denial from the neglect or caprice of volunteers, under no legal obligation or compulsion to serve him. It is true, the zeal and energetic service of the firemen have not often been withheld, but it has repeatedly happened that the well-disposed have been prevented by the disorderly and wicked from extinguishing fires, to the heavy loss of the county and the burthen of the tax-payers.

"Again, we have a system of tavern-licensing that, in its unlimited permission to all to become vendors of liquors, has produced a fearful increase of intemperance; and, in the numbers engaged, arrays a formidable body of citizens against its reform. The revenues so readily paid for licenses can never begin to compensate for the ruin of the good constitutions of thousands of otherwise useful and valuable citizens; nor to provide for the increased burthen of taxation resulting from the consequent pauperism, misery and crime, much less to repair the loss to the community and families from the idleness and inability to labor, begotten by depraved appetites for strong drink. The public good demands a correction of this evil that cannot be expected from representatives who look upon it and its adherents as an element of support. With his face set towards a correction of the terrible evils of intemperance, no well-wisher of his fellow beings would wish or dare to stop so long as there shall be curable evils that can be reached by

the power of the law, wisely and constitutionally enacted.

"But the hope of being the instrument of good in the correction of the evils and abuses to which I have referred, is not alone the moving motive with me. There is another measure upon which the public opinion, after years of discussion, is now mature for action, and which heretofore has found its chief resistance in the party influences before noticed. As a means of the correction of some of the evils referred to, it is the only efficient remedy, and cannot but be productive, when fully accomplished, of great and enduring public good. Philadelphia has become a great and is a rapidly-increasing community; but her many municipal corporations are the cause of feebleness and many disorders. The power and prosperity of the whole are neutralized by conflicting sectional interests, jealousies and hostilities. The parent city has often evinced an illiberal policy towards her surrounding children, which they have more than requited by a spirit of retaliation; and the latter, often too feeble to cope with their own disorderly and riotous citizens, yet could they not brook her intervention without a deadly hostility. But bring them all under one municipal government, in which all will be equally and fairly represented, and that according to their differing political party complexion, then all conflicting views will be discussed and peaceably settled in the same council chambers, and every portion of the great metropolis will be equally cared for and equally benefitted by all measures adopted for the common welfare. Then the

jealousy and hatred that provoke to hostility must cease, and the power of the whole will be pledged for the maintenance of the good order and peace of the whole. By the expansion of the limits of the city, the basis of her taxable resources and wealth will be increased, to go on enhancing in value through the future of time, and to accelerate her commercial, manufacturing, and social prosperity and happiness. Philadelphia will then stand out in bold relief as one great city, instead of an agglomeration of incongruous municipalities, and stand in her just proportions, strength, and beauty, in comparison with the other great cities of the world. One impulse, one heart, and one pulsation will equally pervade and give life and power to the whole, and no member of the same body can rise in hostility to it; while no jealousy would be felt, if in the overflowing prosperity of trade some of its depots should be located beyond the present narrow limits of the city proper, or if in a wise foresight public squares or parks should be provided for the health and enjoyment of the people, beyond the limits of the present built town, especially when it is considered that in future the citizens doing business within the two square miles will be generally residents beyond them. Philadelphia would then embrace her own Girard College grounds, Fairmount and Lemon Hill, and improve them for the benefit of her own citizens.

"The appeal made by you to me, presents for my decision these considerations: First, that my name may sustain a defeat, but this would cost me nothing in feeling, and would be personally a great relief.

Second, that it may succeed, and if so would be an irresistible demonstration of the public will that the reforms and change of municipal government, I have adverted to, should be accomplished.—With such a hope and promise before me, I have felt, under the closest scrutiny that can be taken of my duty, that I dare not refuse the call you have made upon me to make a sacrifice for the general good. I will, however, take no part to promote my election, but if your ticket shall succeed, will, with God's help, faithfully serve the people for all measures designed for their good, and the repression of all evils that do them harm.

"But I make this concession upon the condition that the highest intelligence and virtue to be found in the community, shall be exerted for the accomplishment of its own work of reform. Bills required to carry out their proposed measures must demand great care, time, and circumspection in their preparation. The interests at stake are large and momentous, though the principles that must govern, will not be difficult to understand or apply. To delay the preparation of the bills until the meeting of the Legislature will be to lose the session, or to do the work crudely and unwisely. The most capable men of differing political parties should unite in preparing the bills, and obtain for them such a professional sanction, by eminent lawyers, as will command the confidence of the people and of the Legislature. These will require to be assured that no vested rights of property shall be invaded, no trust diverted from its purpose, or risked in the change or modification

of the powers of the trustees; that no provision of our Constitutions shall be violated. To bills thus prepared and sanctioned, I would give my humble advocacy. To any specific form, measure or extent of relief or change, I now make no such pledge as will forestal discussion, or preclude the adoption of the results of the invited labors of the citizens in the preparation of bills, or of their further discussion in the Legislature. I cannot doubt they would be such as to stand the test of time, and that a practical trial of them would but test the wisdom of the framers, and that they would promote and establish the enduring welfare, prosperity, and happiness of this great community.

"ELI K. PRICE.

"To STEPHEN COLWELL, Chairman, and other conferees.

"July 30th, 1853.

"Mr. Binney, Jr., moved the following resolution:

"*Resolved*, That the Committee on the Address be continued, with power to take order upon it and on its publication, and on the publication of any other documents intended to promote the success of the object of this Convention.

"Mr. Morris moved that a Committee of Finance be appointed, consisting of three members of the Conference, and that the chair appoint the committee; which was unanimously agreed to.

"The chair appointed as Finance Committee, Thomas S. Newlin, Isaac P. Morris, William L. Rehn.

"On motion, adjourned to meet again at the call of the chair.

"STEPHEN COLWELL, *Chairman.*

"J. B. TOWNSEND, *Secretary.*"

A City paper contained the following:

"The following is a copy of the letter from the Hon. Richard Rush to Eli K. Price, Esq. The letter, as the contents of it will show, was called forth by the recent excellent letter of Mr. Price to the Convention of the friends of the Paid Fire Department. The contrast which Mr. Rush presents of Philadelphia as it once was, the foremost city in the Union, and the fact that it has been so far outstripped as to be only the third city in the Union, is forcibly exhibited. The causes are worthy of every citizen's consideration:

"'SYDENHAM, NEAR PHILADELPHIA,
"'August 1, 1853.

"'MY DEAR SIR,—I have just read in this morning's *Ledger* your letter of the 30th July about Philadelphia, and cannot refrain from giving you my thanks. A native of the city, though much away from it, I have too often since returning to an ancient home, here in its vicinity, deplored our falling off from former days. I left Philadelphia in 1811, then the first city of the Union in wealth, numbers and business—as always in natural advantages. We stood first before the Revolution, during the Revolution, and many years after the Revolution and formation of the Federal Constitution. Getting back after a long absence, and eager to indulge in the fond parti-

ality of the native, I was met by the woeful fact of our being only the third city, and that we were continuing to lose ground—our natural advantages being the same as ever, with the new developments of our matchless mineral wealth all superadded. I could only account for this by supposing that we must have fallen off in the wisdom suited to the times, whilst our rivals were alive to it; they active, we sleeping. Mr. Tyson's excellent letters to the late British Consul were well calculated to stir up anew our Philadelphia pride and hopes. Since their appearance I do not remember to have seen anything which has so forcibly brought into one view some of the operative causes of our decline, as your letter. I say decline, because, although we may all witness with pleasure recent indications of revival in our noble old city of "Independence," not to go forward in line with our rivals in this quick age, is, in effect, to decline. We are still a good way behind, where we shall remain, and get relatively worse, if we do not fully awake up to our true condition. It is, therefore, that, as one individual of this community, I desire to convey to you my poor, but sincere acknowledgments for your frank, manly, well-timed, sterling letter. In such feelings as these, I beg to subscribe myself, with great respect,

"'Your very thankful fellow-citizen,

"'RICHARD RUSH.

"'TO ELI K. PRICE, ESQ.'"

The *North American and United States Gazette*, the *Public Ledger*, the *Daily Register*, the *Evening Bulletin*,

the *Germantown Telegraph*, and the *Sunday Mercury* opened their columns to communications and wrote editorials advocating Consolidation, inclusive of legislation to put the Fire Companies under the control of the Councils and the Courts. William F. Grayson and Mr. Birney were active and efficient writers and advocates. Eli K. Price was elected to the Senate for three years, and M. W. Baldwin and William C. Patterson to the House, pledged to the measure of Consolidation, by independent voters, who left their party attachments and discipline.

As soon as the election was over Mr. Price caused to be called together many of the active friends of the reforms, to meet all the members elect of the Legislature for the City and County, at the Exchange, to frame a bill for the New Charter of the City of Philadelphia. Among those actively engaged upon this work, for several weeks meeting twice a week, were Morton McMichael (Chairman), Frederick Fraley, John K. Kane, John M. Ogden, John Cadwalader, William L. Hirst, Philip M. Price, Daniel M. Fox, Horace Binney, Jr., Henry M. Phillips, Alexander Cummings, Thomas S. Smith, William V. Pettit, Thomas S. Newlin, Andrew Miller, Henry M. Watts, Philip R. Freas, William H. Stokes, George G. West, N. B. Browne, James A. Campbell, James Page, Samuel H. Perkins, Samuel V. Merrick, John M. Kennedy, William S. Price, James Veree, John H. Dohnert, Peter McCall, Jacob F. Hoeckley, George W. Biddle, Peter A. Keyser, Isaac Shallcross, George Northrop, Michael Pray, John Robbins, Stephen Colwell, Isaac Hazlehurst, Henry L. Benner, John Deal.

William L. Hirst, Frederick Fraley, and Eli K. Price were made a committee to revise and amend the bill laid before the General Committee. Messrs. Hirst and Fraley rendered very important services in putting in shape their own views and those of their fellow-members of the Committee; and Mr. Hirst exerted an important influence as Chairman of the State Executive Committee of the Democratic party, and in collecting the statistics and in preparing the memorial to the Legislature.

The members of the Legislature invited to a conference were: *City Senators*, W. A. Crabb, Eli K. Price; *County Senators*, S. G. Hamilton, W. Goodwin, Levi Foulkrod; *City Representatives*, William C. Patterson, M. W. Baldwin, George H. Hart, Henry K. Strong; *County Representatives*, Thomas Manderfield, R. M. Carlisle, George W. Hillier, John J. Boyd, R. B. Knight, Isaac W. Moore, Richardson L. Wright, E. Poulson, J. H. Hurtt, Benjamin R. Miller, Joshua S. Fletcher.

The *Sunday Mercury* said of the Committee:

"The committee appointed by the citizens of Philadelphia and the surrounding Districts, to frame a bill to present to the next Legislature, by which Consolidation might be effected, have at last adjourned *sine die*. A more intelligent or liberal-minded body of men could not be brought together for any purpose. At great personal sacrifices, the different gentlemen composing the committee, discharged faithfully the duties they had assumed. For months they have held weekly meetings for the purpose of discussing calmly and carefully every section of the bill. The

expenses of the whole proceeding—which have not been light—the members defrayed out of their pockets or used their own personal influence with their friends to raise a fund. Whatever may be the fate of the bill, the public are satisfied of one fact, that in its preparation the intelligence, experience, and learning of the county have been engaged."

And the *Germantown Telegraph*, of December 28th, 1853, said:

"The Executive Committee having in charge the preparation of the bill to be submitted to the Legislature, providing for the Consolidation of the city and county of Philadelphia into one municipality, concluded its labors on the 20th inst., after a session of two months, and the bill is now being transcribed, and will, we presume, be published as soon as it can be got ready. This Committee, composed of some of the ablest and most respectable citizens of the city and county, numbering between fifty and sixty, held two long sessions a week, and the Sub-Committee an equal number, and zealously labored from the beginning to the end, with the view of preparing the bill, embracing so many important and distinct objects, with all the care and accuracy that it was possible to bestow upon it, in order that it should protect the interests and meet the reasonable demands of every portion of the enlarged city. And they have succeeded—if our judgment is worth anything in determining the measure of success—succeeded to the satisfaction of every impartial person, who will take the trouble of fully investigating and weighing the question in all its parts and bearings, and the very

delicate and intricate duty the Executive Committee had to perform."

While the Bill for consolidation was in progress Mr. Price wrote articles for the papers advocating its provisions and passage, and sent copies to influential persons elected to the Legislature, through the State, to prepare them for its adoption; and many editorials were also published. These are not here given, because the substance of them is embraced in the report made by Mr. Price to the Senate from the Committee of City members.

CHAPTER III.

THE PASSAGE OF THE ACT OF CONSOLIDATION.

The Bill was presented immediately after the organization of the Senate, January 3d, 1854, and printed, accompanied by a printed memorial from the Committee, setting forth our local statistics, and the grounds upon which consolidation was demanded. Among other things in this memorial it is said,—

"The same population with the same interests, on the same plot of ground, and forming to the eye of the stranger the second great city in America, ought unquestionably to have the same government, the same laws, and the same police. This is the clear right of its citizens; and the Legislature, for their sake, and for the general interests of the State at large, should at once place all its inhabitants under the charge of one Municipal Corporation, obliterating by a single act of its power those artificial distinctions which have produced all the evils of conflicting jurisdictions and prejudices, and at one period led to the shedding of blood, and the practical imposition of a voluntary martial law.

"It appears, therefore, that sound policy dictates that the whole of Philadelphia should be united under one municipal government, with an executive head,

to be called a Mayor, whilst the Legislative power should be vested in a Select and Common Council, elected by the respective wards, and not by a general ticket, so that all parties may be represented according to their numbers.

"At present, including the County, the Guardians of the Poor, the Comptrollers of Public Schools, and five suburban Boroughs, there are nineteen distinct Corporations, with that number of distinct set of taxes, collected by distinct sets of Tax-collectors, and with at least twelve distinct debts.

"This change will secure only one set of ordinances for the government and regulation of the good people of Philadelphia, easily learned and known by all, instead of distinct codes of municipal laws, varying according to the prejudices and passions of each Municipality, and really inaccessible to the citizen.

"The same corporate unity dispenses with a multitude of Treasurers, Solicitors, Clerks, Superintendents, or their equivalent, besides hosts of subordinates. It dispenses with one hundred and sixty-eight Tax-collectors, and will cause a saving in this item alone of one hundred thousand dollars per year.

"It creates, instead of numerous different sets of debts of varying value and uncertain credit, one consolidated city debt of the same value and undoubted credit, and replaces at least twelve different sets of books by one set kept in the simplest form.

"Your memorialists will not enter into an analysis or explanation of the provisions of the bill herewith submitted. They speak for themselves. It is believed that they comprehend every subject necessary to be

considered by the Legislature in providing for Consolidation."

Before the Bill was reported a deputation was sent by influential citizens to ask a reconsideration of the measure; and a Committee of Firemen to deprecate action bearing upon them; but without inducing any change of purpose in the Consolidation Senator and Representatives.

The Bill, reported January 10th, was considered in Committee of the Whole. Mr. Price made an argument in its favor; and on the 18th it was passed by the Senate, upon a call of the yeas and nays, *unanimously.*

While the Bill was pending in the House an opposition arose in the City Councils, in shape of the expression of an apprehension that the City trusts might be endangered. The following action ensued:

"*Consolidation Committee.*—A special meeting of this body was held on Friday afternoon, January 20th, 1854, pursuant to a published call.

"Morton McMichael, Esq., presided.

"Mr. Hirst, Chairman of the Sub-committee which prepared the bill now pending in the Legislature, said that the committee assembled under peculiarly gratifying circumstances. The bill matured here had been passed by the State Senate with a promptness and unanimity hitherto unparalleled. It had been printed and laid on the tables of members on Saturday, and was passed on the following Wednesday without a dissenting voice. And what was perhaps not less remarkable, though of unusual length, and embracing a vast number of sections, it had been copied by the

industry of the transcribing clerks, and presented to the House on the following morning. Mr. Hirst then submitted the following resolutions, which were unanimously adopted:

"*Resolved*, That this Committee on behalf of their constituents, the citizens of Philadelphia, tender to the members of the Senate of Pennsylvania their grateful thanks for their prompt and decisive action upon the Consolidation Bill, and hail the unanimity of the vote as a cherished proof that our brethren throughout the State will unite with us on all measures calculated to promote the prosperity, greatness, and good government of Philadelphia.

"*Resolved*, That this Committee do most respectfully and earnestly entreat the members of the House of Representatives to concur in the result of the deliberations of the Senate with like spirit and unanimity, and to clear away all obstacles to the immediate consideration and final passage of the Bill, thus affording to our citizens abundant time and opportunity to prepare and adapt themselves to their new municipal condition.

"*Resolved*, That the members of the House of Representatives from the City and County of Philadelphia are respectfully and most urgently solicited to facilitate the bill through the Committee of which they are the members, and to report the same to the House without any delay; that we feel certain that in the expression of this wish we are supported by, and truly represent, the earnest desires of the great mass of our citizens, who will look upon any obstruction placed in the way of the immediate passage of

the bill as mischievous and inimical to the interests of the people of Philadelphia.

"*Resolved*, That copies of the above resolutions be addressed by the President and Secretary to each member of the Senate and House of Representatives.

"*Resolved*, That the President and Secretary be requested to tender the thanks of the Committee to Messrs. Henershotz, Weiser, Blair, and Stehley, the Transcribing Clerks of the Senate, for their praiseworthy promptness in engrossing the bill in time for presentation to the House of Representatives the next morning after it passed the Senate.

"*Resolved*, That the members of this Committee already appointed by the chair for that purpose, be requested to visit Harrisburg, and on behalf of the whole Committee, to personally urge upon the members of the Legislature the merits of this great measure, the necessity of the immediate passage of the bill, and its importance to the interests of the city and the Commonwealth.

"Mr. Fraley said—I am surprised at the action of the Councils last evening. Up to the present time I have felt as though I was engaged in a work which would effect great public good, and a work that my fellow-citizens of all parties united in for the simple benefit of the public generally. The bill was prepared with peculiar care and deliberation, the local and technical knowledge which has been brought before the Legislature in the shape it has, is worthy of the prompt action of that body. The members of the Senate, who have relied on the acts of the Committee, have without any amendment passed the bill as made

by us. The bill was subjected to a larger circle of criticism than any other bill which has ever been brought before the Legislature. It was framed, and published before the Committee took any final action upon it. Various amendments were made, which this body deemed necessary, so as to effectually make the bill a law, and place our city on a level she should occupy, so as to compete with other cities of the Union. I regret that the City Councils, after passing resolutions with great unanimity approving of the bill as framed by this Committee, should, at their meeting on Thursday evening, doubt that the trusts of the city would be properly cared for.

"I think that the actions of the Councils are unadvised, and I fear that this action on their part will be viewed as a demonstration of the Whig party of Philadelphia to oppose the passage of the bill. But, sir, I am satisfied that such an inference would be erroneous. I am happy to concur with the Democratic party in this measure, and I think it has been brought before Councils by some office-holders who hold offices by the patronage of the Whig party, and fear they may be abolished or filled by other incumbents.

"As a member of the Whig party I have felt it my duty to cheerfully throw aside all party considerations, and during the last twenty years my mind has been impressed with the subject of the Consolidation of the City and Districts, and no matter how it might affect the political interests, a question of so great and so vital importance should make party questions subordinate to the public good. I think, sir, when

the members of Councils come to their second sober thoughts, they will recall their action of last evening, as they certainly must be cognizant of the fact that nine-tenths of the citizens of Philadelphia desire the passage of this bill, well knowing that the trusts endowed by liberal citizens will be preserved inviolate.

"Mr. H. Binney, Jr., thought that the resolutions of Councils were eminently superfluous in expressing a doubt that the interests of the city would suffer. Whatever doubts they may have had relative to the bill, there is no section of it more perfect than that relative to trusts.

"Why, sir, the trusts will protect themselves, for the Legislature can do nothing to impair them in any shape or form. If they needed protection, they have received it in the best and simplest manner. The Consolidation Bill makes the city fully as much the Trustee of these trusts as the present organization now acts in the premises. I consider, sir, the measures embraced in this bill, on this subject, are perfect.

"It seems strange to me that the Councils have thought of the interests of the city at the eleventh hour; certainly they could not suppose that the gentlemen of this Committee would overlook measures of such vast importance, and the very simplicity of the bill should satisfy the mind of any one who reads it, that full justice has been done the city.

"The bounty of Girard, the charity of Scott, together with all benevolent donations entrusted to the care of the city, will be fully as safe under the acts

of this bill as they now are, and he who thinks to the contrary is guilty of weakness.

"I hope, sir, the attention of the members of the House of Representatives and Senate will be awakened to the interests of our city, and this bill, as it emanated from the Committee, be passed.

"The great secret of the actions of the Councils last evening, obviously is to delay, and by that delay peril the bill on the eve of its final passage.

"Mr. Kennedy—Mr. President, as a citizen of the District of Northern Liberties, I refer with pride to the resolutions passed by the Commissioners of that District a few evenings since. While I honor them for the bold stand taken, I equally regret the uncalled for action of Councils last evening.

"Colonel Page—Sir, there are times when it becomes every honest man to look to the general good and throw aside politics. I am pleased, sir, to stand in this place and say that no action has been taken by the Democratic party *to oppose this* bill. Northern Liberties, the cradle of Democracy, has sent its potential voice up in favor of Consolidation. So also has Moyamensing, and everywhere that the Democratic party has spoken through its organizations, a large majority has been found in favor of Consolidation.

"The people generally are in favor of this bill, and the opposition arises from mere selfish principles, and springs only from office-holders, who have a personal interest in the result. The benefit of this bill will be past comprehension, and as one, I feel no party adhesion; no personal or individual motives should

prevent its passage. I hope, sir, this bill may pass the House, be signed by the Governor, and go into effect, as has been very appropriately suggested, on the 22d of February next; for, certain is it, that it will bring peace, order, and good government over half a million of people. I am cordially in favor of the bill, and I regret in common with the gentlemen who have preceded me that Councils, after seeing the actions and labors of this committee, and having been afforded the most ample opportunity of inspecting the bill, should at this late day appoint committees to see that the interests of the City are taken care of. I earnestly hope, sir, that all who raise objections to this bill, may live to be disappointed.

"Mr. Watts—Mr. President, with other gentlemen I have seen with regret the action of Councils, who have heretofore expressed satisfaction of the proceedings of this body, and I cannot now see why they should express doubts as to the trusts of the city. Should hesitation be brought to bear on the members of the Legislature as to the passage of this bill, it is my opinion that the member of the Legislature who dare in any material respect to alter this bill, assumes a responsibility that few men are bold enough to undertake. I do not wish to disparage the industry, capacity, or fidelity of any of the members of the Legislature; but I do declare that, if I stood in the position of those gentlemen, I would not dare to dot an *i* or cross a *t* in any portion of that bill. I mean so great has been the intelligence and assiduity of the Committee, and so great has been the technical skill employed, and so much care hav-

ing been bestowed on each provision of the bill, cannot affect disadvantageously the interests of the city.

"As a representative of the citizens of this Commonwealth, I would bow with deference to the will universally expressed by our Courts, Grand Juries, and the will of the people so universally expressed.

"Mr. William L. Hirst said that he did not by any means consider the bill in danger; and, if he could do so, he would regard the experiment of representative government as a failure. There was but one part of the bill which could give rise to a political feeling, and that was the division of the city into wards. And on this point he desired to say that if the boundaries fixed by the bill should be disturbed by amendments, it would be a violation of all propriety. In this Committee there had been a general yielding of political considerations, and the division into wards had been made especially in such a manner as to avoid political difficulties. He said further, that the accounts he received from Harrisburg were to the effect that the House of Representatives was prepared to be as prompt and unanimous in its action on the bill as the Senate had been. He would not believe that there was any danger of the failure of the bill, and he knew there was not the slightest reason for apprehension, if the members from the city and county were true to the obligations they owed to those who had elevated them to power.

"Mr. Andrew Miller concurred fully in all that had been said. The legal gentleman who had revised that portion of the bill relating to the trusts was one in whose hands he would entrust his life

with perfect confidence. Mr. Miller said, in addition, that though the boundaries of all the wards were not such as he had desired and urged, he had cheerfully acquiesced in the general decision on the subject, and he hoped all others would do the same.

"Mr. George Northrop agreed with Mr. Watts that the object of Councils making their last movement was not stated in the resolution which they had adopted. He explained that in the matter of the trusts, no law consolidating the city could impair them, inasmuch as the corporations were merely trustees, standing in the same relation as in individual trustees. If the individual trustee were changed, as sometimes became a matter of necessity, and as was done by legal authority, it did not in any manner affect the trust itself. So, if a trust were vested in one of our municipal corporations, it could not be destroyed by the mere act of consolidating the city, but passed into the hands of the new corporation which legally was created to take the place of the old one. Eminent legal counsel had been consulted by the Committee on this very subject, who had given the opinion that the bill in nowise affects the trusts. In fact, as Mr. Binney had said, the trusts protect themselves. This opinion, he remarked, was given by one who had been the counsel of the city corporation.

"Mr. McMichael said—Gentlemen, as your Chairman, I have not had an opportunity in the debates, and, although I have had considerable experience in deliberative bodies, yet I have seldom listened to discussions participated in by men of such high attainments. I have never known of anything being so

thoroughly discussed, nor yet have I known of a body of men confining themselves to the point, as has been done in the two months' deliberations of this body. Experience, combined with practical sense, has been adduced: and I have taken great pleasure, apart from my personal interest, in listening to the debates. The giving up, all round, of personal prejudices, was eminently praiseworthy. I think that the members of this body possess as much intelligence, and quite as much honesty, as the members of Councils."

On the 30th of January, 1854, the Bill passed the House, after slight and unimportant amendments, by a vote of 79 yeas against 3 nays. On the 31st, the amendments were concurred in by the Senate; and on the 1st of February the Bill was compared, and in the evening sent to the Governor. Governor Bigler was then at Erie, owing to the Railroad War between that City and the Railroad Companies. There was urgent necessity that the Bill should become a law without delay, to put an end to the legal powers of the District corporations to contract debts, as they were beset to make Railroad Loans, and some of them were tempted to incur debts for local advantages which they would not have done if they should have the debts to pay, but were quite willing and eager to incur them when they knew that the Consolidation Law would throw the obligation of payment on the large City. William C. Patterson therefore went with the Assistant Secretary of State and the Bill to Erie, and procured the signature of the Governor, whereby it became a law on the 2d of February, 1854; they

having been in the cars from the evening of the preceding day, and having called the Governor from his bed before midnight of the day of its date to sign the Bill; which he was enabled to do at once, since he had been acquainted with the purposes of the Bill before leaving Harrisburg, and also felt the necessity of prompt action.

CHAPTER IV.

GROUNDS PRESENTED FOR THE PASSAGE OF THE ACT.

Mr. Price, as Chairman, presented the following to the Senate:

"The Select Committee of the Senators from the City and County of Philadelphia respectfully report:

"That the bill referred to them entitled 'An Act further to amend an act entitled an act to incorporate the city of Philadelphia,' has claimed their careful consideration, and they recommend its enactment into a law. For more than ten years the subject of extending the limits of the city of Philadelphia has engaged the attention of our constituents, successive bills have been framed by citizens of distinguished intelligence and ability, and the bill now reported is the result of their deliberations after full discussion and mature consideration. The measure has from year to year increased in public favor, until the people have become so nearly unanimous as to silence public opposition. This unanimity of feeling is not now to be distrusted as a popular impulse that is unsafe for legislative action. It has encountered the long continued opposition of the interested by office and power to oppose it, and of these who apprehend danger in all advancements and changes, and by obstruction and time has gathered resistless strength. This

continued discussion and long lapse of time, waiting for and obtaining the slow acquiescence of the cautious and wary, who now see in the measure the only effectual relief against intolerable evils, afford the desired assurance of a safe and prudent legislation—of legislation that shall be the expression of wisdom and justice as well as of power.

"The municipalities of Philadelphia have received, at various periods since the revolution, the deputed powers of the Commonwealth, variously expressed and limited in their different charters. They were the free gift of the sovereign power to subserve the public welfare, more especially, it is true, as respects the people therein inhabiting, but also as regards the citizens and important interests of the State. Those powers were conferred because there are many local improvements and laws demanded for the well-being of large towns, that are not required for the sparse population of the country. Those delegated powers are but a trust to be exercised for and in behalf of the Commonwealth, through agencies more incessantly active and prompt of execution than the ordinary course of administrative justice, or of distant and but occasional legislation. They partake not of the nature of a contract, incurring as such constitutional inhibition against a repeal, but that of a deputation or agency subject to revocation. Those powers, therefore, which the Legislature has conferred only for the public good, the same authority may withdraw or modify when the public good shall require it; and the duty thus to do in such emergency is the same that induced their original delegation. But it follows

not that by the dissolution of a charter or its modification, any change can be made in the rights of property. The change of a trustee or a modification of his powers works no change in the beneficial ownership. By the principles of everlasting justice as well as the guaranties of our constitutions, the rights of property cannot be impaired, and when held in trust it must be preserved for the uses to which it has been devoted. The bill now reported, in abundant caution expressly declares that all trust estates shall be held by the city of Philadelphia upon the same uses, trusts, and limitations upon which they are now held. Nor is the identity and continuity of the old city charter severed or touched, but only modified with extended boundaries.

"The present limits of the city of Philadelphia remain as they were fixed by the founder nearly two centuries since, containing two square miles. They have known no expansion or retraction, but, as upon the procrustean bed, all things upon the city plot have been made to conform to the contracted space, until it may be naturally apprehended that the mind and energies of her citizens have been, in a degree, cramped and fettered by their narrow bounds for scope and enterprise. While nearly all other cities of our continent have been allowed freedom of expansion, and have bounded forward in population, and wealth, the city of Philadelphia had fallen, in 1850, from the first to the second in wealth, and the fourth in population. Had she, from time to time, as the town extended, annexed territory, her growth would have been natural, and the system of gov-

ernment been preserved simple and uniform, with an ever increasing strength. But the accretions round the city have been independent corporations, nourished by her strength and created by the overflow of her population and wealth, until the nine district municipalities, formed upon the original nucleus, exceed in population the parent city. The city, by the census of 1850, was in population one hundred and twenty-one thousand four hundred and seventeen, and of the city and county four hundred and nine thousand and forty-five. New York was five hundred and fifteen thousand five hundred and forty-seven, Baltimore one hundred and sixty-nine thousand and fifty-four, Boston one hundred and thirty-six thousand eight hundred and eighty-one, and by this time Cincinnati and New Orleans, then but a few thousand less than the city proper of Philadelphia, have gone ahead of her.

"It is not to be supposed of human nature that the people of these many separate local governments have not been actuated by a preference and zeal for their separate interests, nor that collisions and hostile feelings have not arisen obstructive to a concert of measures for the common welfare. With no paramount or pervasive power of legislation or control, no laws, uniformly operative over the whole, could be adopted or executed beyond the respective bounds of each. Rioters suppressed within one jurisdiction take refuge and find impunity within another. Measures of public improvement, by the city or respective districts, are arrested at each extreme of their narrow limits; and works erected competent to sup-

ply the wants of all with but slight additional expense, are curtailed of their usefulness, and other works at large expense uselessly erected by other corporations. The varying laws of so many localities in close contiguity, are so numerous and little known, that the citizens, in their hourly movements, are subjected to legal obligations and powers of which they have no knowledge. These divisions and unseen lines and complication of powers, are potential alike to paralyze or arrest every effort to advance the common welfare and to suppress general evils.

"Partial efforts have been made for co-operation between the city and districts, which have resulted in good not unmixed with evil. They have produced bodies that are irregular excrescences upon a bad and disjointed system, but the necessary shifts to avert greater mischiefs. We have 'County Commissioners,' in number and powers corresponding with those of other counties, but with affairs to manage of so much greater magnitude as to require a 'County Board,' composed of the members of the Legislature, to be a check upon them, and to assume the responsibilities of fixing the rate of taxation, making appropriations, etc. We have a board of 'Guardians of the Poor,' whose members are appointed by the city and districts, invested with an independent power to levy taxes, and, beyond the supervision and control of the appointing power, to check expenditures or correct abuses. We have a 'Board of Health' appointed in like manner, in receipt of head-money from emigrants, and beyond supervision and control. We have the 'Port Wardens,' the master appointed by the Gov-

ernor, and thirteen assistants appointed by the city, Commissioners of certain districts and the Borough of Bridesburg, who have control without accountability, of matters that seriously concern important commercial interests. We have numerous 'Directors of Public Schools' appointed by the city and districts and elected by the people in the townships, and the Directors choose a 'Board of Controllers,' and the latter have indirect taxing powers, and are accountable to no supervising authority. We have, moreover, a 'Board of Police,' composed of the presidents of the City Councils and District Commissioners, and of the Police Marshal, the latter elected by the people and subject to no direct control by any other body. We have besides these a 'Board of Prison Inspectors,' appointed by the courts and mayor, recorder and aldermen, without the supervision or control of any superior authority. Thus we have ten corporations or separate organized bodies, mostly emanating from the ten municipal corporations, overlapping and intertwined with them, and exercising each a share of the local government in and about Philadelphia, the extent of whose powers and doings are generally unknown to the citizens, who, when they perform their duty of paying their taxes, know little of the manner or purpose of their expenditure, or of the fidelity of their public servants in the disbursement of them. It is true, there are in all these bodies many valuable public-spirited citizens serving the community without compensation, but for whose faithfulness and integrity such an incongruous accumulation of functionaries could not have been so long endured with-

out a liability to that supervision and correction of abuses which is needful in every department of republican government. The bill now reported, brings all those bodies, so far as retained, subject to the supervision of the City Councils for the correction of all malpractices. Their members, too, are generally made elective by the people, who will yearly have the opportunity of a new selection, and of omitting such as may have been exceptionable in conduct.

"Add to the ten municipal corporations, the County Commissioners and the ten enumerated excrescent bodies, adjunct and helpful by reason of the restricted limits and infirmities of the eleven, and we have twenty-one governing bodies in the city and districts of Philadelphia; and add to these the six boroughs, and thirteen townships, and the sum of the whole is forty corporate, or quasi-corporate bodies, to govern the people and manage the public affairs of the smallest county in the State; and with the help of them all it is undoubtedly the worst governed, from the number of limited territorial divisions and incongruous powers and conflicting interests of these various governing and executive institutions.

"When it is considered how many are the functionaries and persons employed in and under all the enumerated corporate bodies, and in the collection of the taxes, it cannot be a matter of surprise that the purpose of consolidation has been long resisted, baffled, and delayed. But the people, with a united voice and irresistible strength, have demanded a single government of more extended rule, that shall have greater power to subserve the public good.

To the Legislature of the Commonwealth they make their appeal for relief, and ask that form of government that properly appertains to the community inhabiting one large city, with the same large commercial, manufacturing, and social interests; a single government, that shall produce fraternal feelings, harmonious action, advancing alike the welfare and prosperity of the whole and every part. They make this appeal hopefully and confidently, in the full conviction that the Legislature will not refuse what the welfare and happiness of any portion of the Commonwealth requires. Philadelphia, though cramped, fettered, and paralyzed by a pernicious and complicated system of government, is an important portion of the State. She is part and parcel of Pennsylvania, to whom the State owes the duty of furnishing a good government. She is the only great seaport of the State, that transacts the commerce between the ocean and the interior, not only of the State but of the Continent. And with her rightful dimensions, though the smallest county, she contains nearly one fifth of the population and more than one-fourth of the taxable wealth of the Commonwealth. Add to this the outlying lands of her citizens, the capital moving and afloat of her merchants, their shipping at home and abroad, their merchandise and debts of customers, and you have an aggregate of wealth that cannot be readily told. For the protection of these large interests, for the prosperity and happiness of her people, she claims the benignant and kindly consideration of the Commonwealth, not as to strangers, not as to a portion of the State having distinct or opposing in-

terests, but as a part, and not an unimportant part, of the great State of Pennsylvania, as one in feeling and one in interest with the whole body of their fellow-citizens, having the same government to sustain and defend.

"How much *Philadelphia* has outgrown and is outgrowing the *city* limits, and how much her population has overflown her boundaries, may be seen by the following tables: In 1850, three of the districts north of the city exceeded her population by over thirty thousand. In that year all the districts contained 238,121 inhabitants, and the city but 121,417; difference 117,704, or nearly double; and now they are more than double the city in population.

"The increase of the city is but 29½ per cent. in ten years, that of Spring Garden is 111½ and of Kensington 109½. The city of Philadelphia is no part of it in the centre of Philadelphia. Vine street, her northern boundary, is south of the centre of population. There were in 1850 but 188,802 inhabitants between the rivers south of Vine street, while there were north of that street, between the two rivers, 206,885; and in three and a half years that difference has greatly increased. The aggregate increase in ten years south of that line is but fifty-two per cent., while north of it the increase is nearly eighty-three per cent.

"The valuations of real estate for taxation also show that the new districts are rapidly outstripping the city, and each successive year will increase the disparity of the ratio, as a widening circle extends the line of improvement. The city valuation in-

creased in nine years fifteen and one-fourth per cent., while the average increase of the whole county was twenty-seven and five-sixths per cent., and the districts on the margin of the town, with room for new buildings, were above sixty-five and eighty-eight per cent. increase. And herein is apparent the future advantage to the whole city when enlarged, of those districts having large open space yet to be built upon; for though their surveys, grading, culverting, &c., may be expensive, they have a power to increase revenue for a long time to come, which in the present city and the Northern Liberties is nearly expended, by their plots being generally built up. The future availability of the young and thrifty is more than compensatory for their present indebtedness and future occasion of expenditure.

POPULATION.	1840.	1850.	INCREASE.
City of Philadelphia	93,665	121,417	29½ per cent.
Southwark	27,548	38,799	41 nearly.
Moyamensing	14,573	26,979	85⅛ per cent.
Passyunk	1,594	1,607	4-5 1 do.
Total south of Vine street.	137,380	188,802	52 do.
Northern Liberties	34,474	47,223	37 do.
Spring Garden	27,849	58,895	111½ do.
Kensington	22,314	46,776	109½ do.
Residue of county north of city and east of Schuylkill.	28,467	53,991	89⅔ do.
Total north of Vine street.	113,104	206,885	82⅝ do.
	137,380	188,802	
West of Schuylkill	7,553	13,358	82⅓ do.
Total city and county	258,037	409,045	*58½ do.

* Aggregate.

"*Taxable inhabitants in* 1853.—City, 22,024; Southwark, 8,193; Moyamensing, 6,153; Passyunk, 335,—total, 36,705.

"Northern Liberties, 9,130; Spring Garden, 12,817; Kensington, 11,563; Penn, 2,658; boroughs and townships north of city, 11,332,—total, 43,496.

VALUATION OF REAL ESTATE.	1844.	1853.	INCREASE.
City	$57,708,858	$66,497,465	15¼ per cent.
Southwark	5,367,581	6,036,047	12½ do.
Moyamensing	2,323,210	3,838,791	65½ do.
Northern Liberties	9,056,948	9,637,466	6⅓ do.
Spring Garden	9,149,604	15,128,817	65⅓ do.
Kensington	3,793,508	7,148,502	88 1-5 do.
Other districts, boroughs, and townships	12,893,513	19,931,570	54⅔ do.
Total	100,293,222	128,218,658	27 5-6 do.

"It is apparent that by the double process of the growth of the town outside, in an ever-expanding circle, and the conversion of dwellings in the city into uninhabited stores and warehouses, the latter will become, as respects population, of subordinate importance, and the property of the wealthy, who shall retire outside the vortex of business, be left to the government of those who will own but a small proportion of it, if the present divisions be maintained. Such has been the process in London. There wealth and fashion have receded from the city as defined by its ancient walls, as if the contact with trade imputed vulgarity; and here, if no less worthy motive, the attractions of quietude, fresh air, health, and nature's

charms, will continue to accelerate the villa improvements that have begun to adorn West and North Philadelphia. It should not be that the city should sink to be an appendage to her own colonies, nor to stand in the sixth rank of American cities, when, by the enactment now recommended, she may instantly become the first in size, the largest in the number of well-built houses, of all the cities in the Union. If the surrounding habitations and people be not thus secured to the city, she will as inevitably sink in relative importance to the towns now rapidly growing round her, as that the nations of Europe, within contracted territories, will dwindle in the comparison with the ever-swelling population and rising greatness of the North American republic.

"In times past we have heard of objections to consolidation that may, perhaps, be repeated. It is said that London and Paris are respectively small cities, around which other municipalities were formed like those round the city of Philadelphia, until the aggregate London and Paris became to be millions in population. And that is true. But let it be recollected that London and Paris have had their growth during a period commencing before the Christian era; that they had no such elements of progress as are witnessed in the United States; that they have been for nearly two thousand years the seats of two of the most powerful governments of the earth—governments sustained by immense standing armies; and that the soldiery and police are an arm of the State, whose power pervades all parts and maintains the peace by an iron rule. No such power is present

in Philadelphia. God grant it may never be. Happily our governments need no standing army; the people are their voluntary and best support. Yet in all large cities the elements of disorder and misrule lie in close and fermenting proximity, easily kindled and of explosive power, and demanding a preparation and means of suppression as prompt and of unquestionable efficiency. These means imply the necessity of a pervasive authority, as quick and far reaching in execution as the riot or tumult to be suppressed, and admitting of no border refuge to the violators of the law. These we must attain by a single head to direct, and an efficient chief of police with adequate force to execute; and for these we provide by the bill for consolidation, without obstructive divisions and with exterior borders sufficiently remote to afford no place of lodgment within striking distance. To the government of the State we have not been accustomed to look for a police force to suppress the riots and disorders that arise in cities, until the crisis demands a large military power, but by deputed municipal powers to take the duty, expenses, and burthens thereof on the local community. This duty and these expenses and burthens this community are willing to do and to bear, but only ask from the common legislature the legal means and facilities best adapted to the purposes of self-protection, for our peace, prosperity, and happiness.

"Another objection, much more specious than solid, under which an appeal was made to patriotic feeling and the pride and principle of State rights, was raised by taking a comparison between the act of consolida-

ting the districts and that of the States of the Union. There is no just parallel between the cases. The States, on the achievement of the revolution, became respectively independent sovereign nations, with original, inherent, and absolute power, for all purposes, the smallest and greatest. By the formation of the constitution of the United States, only a few specific powers for general objects were surrendered, and all others reserved to the States and the people thereof; and owing to this distribution of powers it is that we have derived the capacity of comprehending as a united nation the territory of an empire, without impairing the due strength of government in every part. Our municipal districts exercise but a deputed authority for local objects, such as paving and lighting the streets, watching and police, without any original or inherent rights as such corporations. That power that created them for good may revoke the delegated authority, when it fails of its object, or to reconfer it for a greater good; and the creature, in such case, has no warrant to become heroic in defence of rights that were wholly derived from the creator of them. 'Shall the work say of him that made it, He made me not?' Our *Magna Charta* declares it to be an inalienable and indefeasible right of the people to alter, reform, or abolish their government (Const. Art. 9, Sec. 2), the work of their creation, and may not their representatives, exercising their sovereign will, revoke for satisfactory cause their own delegated powers? We have it recently declared by the Supreme Court of Pennsylvania that 'public corporations are cities, counties, and townships, which are

erected for political purposes. Their charter may be granted or repealed without the consent of the members, and their affairs are managed by public officers.' (Per Chief Justice Black, Sharpless *vs.* City.) And again, by the Supreme Court of the United States, that 'if a charter be a mere grant of political power, if it create a civil institution, to be employed in the administration of the government, or if the funds be public property alone, and the government alone be interested in the management of them, the legislative power over such charter is not restrained by the constitution, *but remains unlimited.*' (Story on the Const. § 1393, citing Dartmouth College *vs.* Woodward, 4 Whea. 518; and see 1 Whar. 25.)

"There is, however, one parallel between the history of the confederated States and that of our municipalities that it may be useful to consider. While held together by the imperfect ligature of articles of compact, it was found by experience that even with the aid of the patriotic feeling of the revolution, their action was not consentaneous and uniform in support of that congress and commander-in-chief who, through many difficulties thereby aggravated, conducted them to victory and independence. It became a necessity to abandon the federative articles, to form a constitution, and to establish a *government* with its own direct and efficient powers, as absolute and far reaching as the purposes of the constitution required. The same paralyzing inefficiency exists among the city and districts to accomplish any objects for the general security and advantage of the whole, without the permitted power to attempt a

remedy by mutual compact. The Union was formed by a constitution established by the people; the city charter was formed and can only be reformed by the legislative authority who granted it. The rights of the United States and of the State governments stand consistently together for different objects, but a city charter to cover the same limits cannot co-exist with the district corporations for the same objects. Philadelphia is one community, one dense population, one town of houses standing together, and rapidly advancing her streets and mural improvements upon the surrounding fields; in nature, character, purposes, and interests she is one community and should be one city, one consolidated city, and not many corporations with many attendant satellites moving in irregular orbits of neutralizing influence and clashing in power.

"A further objection made to embracing the whole county in one city is, that if the city as thus enlarged should vote by general ticket, there would be a probability that the members of the Legislature would generally be of one party, and give to the city an undue weight in the Assembly. The bill obviates this result by a clause, usual in the formation of new counties, continuing the present apportionment for the residue of this septennial term, which will be until 1857, and that thereafter representatives shall be elected in the city by separate election districts. In the formation of senatorial districts, it is admitted, that neither the city of Philadelphia of two square miles, nor any county can be divided; but the senators are elected in successive years, and in a city

nearly balanced in respect to the relative strength of parties, it will undoubtedly happen that from temporary causes, as the desire to carry particular measures, or general influences, or greater fitness or popularity of candidates, different parties will succeed in different years, and thus will senators be elected and be found at the same time in the Senate of opposing politics. Again, if by uniting the city and county in one senatorial district the number of senators at the next apportionment should be reduced to four, that would relatively be a gain to the rest of the Commonwealth.

"May then the city be divided into separate districts for the election of representatives? The constitution is express in respect to the formation of senatorial districts that, 'Neither the city of Philadelphia nor any county shall be divided in forming a district.' There is no such prohibition in respect to the election of representatives, and the express inhibition in the former case and its omission in the latter is an exclusion of it in the latter, otherwise it would have been inserted. The constitution directs no districts to be formed for the election of representatives, whether by counties or otherwise, nor that counties must be adjoining and must not be divided, which was necessary in respect to senators, because these being required to be from one-fourth to one-third less in number than the representatives, demanded a proportionately larger basis of representation requiring counties to be added together, and consequently a check against contrivances for party advantage. The only duty prescribed in respect to

representatives is, 'That the number of representatives shall be fixed by the legislature and apportioned among the city of Philadelphia and the several counties, according to the number of taxable inhabitants in each.' There is no limitation upon their number but that of the taxable inhabitants, no direction to form or to omit to form election districts, nor to divide or not to divide any city or county in electing representatives. The whole purpose is to secure a rateable *apportionment* of the representatives to the number of taxable inhabitants, that an equal and just rule shall be observed throughout the Commonwealth, in respect to the city and counties relatively to each other. This purpose being secured, the requisition of the constitution is satisfied. This purpose is equally secured, whether the proper proportionate number for a city or county, adjusted by the prescribed rule, be elected by general ticket or by single districts. The number of representatives is directed to be apportioned among the city and counties; but whether to be elected by one ticket for the whole, or separate for parts, is not said. It is not directed that the election shall be by the whole city or county, nor is it prohibited that proportionate parts shall not elect a proportionate number of the representatives. It is all the same to the residue of the State, whether the enlarged city should elect fifteen representatives by general ticket or the same number in fifteen elective districts, except that in the latter case the party phalanx would be broken, and each party have its fair representation, and the latter is the result desired by the voters asking to be incorporated, and that which will be most

acceptable to the citizens of the residue of the Commonwealth.

"The constitutions of 1790 and 1838 use the same language as to the apportionment of representatives among the city of Philadelphia and the several counties, yet both had in view that the Legislature might form other elective districts than the entirety of any city or county. The third section of the former prescribes, that 'no person residing within any city, *town*, or *borough*, which shall be entitled to a separate representation, shall be elected a member for any county; nor shall any person, residing without the limits of any such city, *town*, or *borough*, be elected a member therefor.' This distinctly declares that a city, town, or borough might have a separate representation from that of the county in which they were situated, and that consequently counties were not the only elective districts the Legislature could form, although bound to apportion the representation among the respective counties. The constitution of 1838, it is true, wholly omits the clause last quoted. But it substitutes, in the previous clause of the same section, the word 'district' for the words 'city and county' in the former constitution, and thereby retains the intent that the elective districts to be formed may be other than those co-extensive with the boundaries of a city or county. It does not require merely of the representative that he be qualified by a year's residence in the *city* or *county* for which he is to be chosen, but of the *district* in and for which he shall be chosen, showing clearly that such district might be different from the lines of a whole city or county.

"If the representation were required to be by each respective county and not otherwise, two or more counties could not be joined together to form a district, yet such has always been done, and that too when together voting for more than one representative, thus making the two or more representatives chosen represent two or more counties as one district.

"The construction of the Constitution of the United States, and the practice under it, will also illustrate the subject. By it, 'representatives shall be apportioned among the several States, according to their respective numbers.' It is silent whether they shall be elected in districts or by general ticket; and down to 1842 the acts of Congress, making the apportionment of representatives in Congress, were silent on the subject, and some States elected by general ticket and some by single districts, as their respective Legislatures enacted. The provision of the constitution was equally satisfied in either way. The act of Congress of 1842 directed, in conformity with the spirit of the age, that each representative, in the respective States, should be elected by single district, composed of contiguous territory, and so the law and practice have continued since.

"The Constitution of Pennsylvania also provides, that 'the Representatives shall be chosen annually by the citizens of the city of Philadelphia, and of each county respectively.' And do not the citizens of each county respectively elect the representatives thereof, whether they do so as one, or as several election districts? In either case, no more nor no less

than the citizens of the county elect the representatives thereof, and it does not affect the rateable apportionment which it is the object of the Constitution to secure, whether they be elected jointly or separately. It is further provided, that each county shall have at least one representative; whence it is argued that a county cannot be divided into elective divisions. Certainly not where but one is to be elected; but that clause can have no bearing upon the case of a city or county entitled to several representatives. The Constitution proceeds to say, 'but no county erected shall be entitled to a separate representation, until a sufficient number of taxable inhabitants shall be contained within it, to entitle them to one representative, agreeably to the ratio which shall then be established.' This only further shows, that county lines are not always to be the boundaries of elective districts, as between the counties themselves; but can have no bearing upon the question of separate elective districts within any city or county. It does not follow that because any city or county may elect in separate districts, that part of such city or county shall be added to another county, or part of another be added to it in forming the districts. It is only asked, that the city or county itself, no more no less, be thus divided; and against that, there is neither direction, express nor implied, much less any prohibition in the Constitution.

"In construing the Constitution of Pennsylvania, we are not to forget its first line, 'The legislative power of this Commonwealth shall be vested in a General Assembly.' The legislative power is the

sovereign power; the fullest, largest, highest power that man can exercise on earth. It is omnipotent, so far as man can exercise power over man, and is only restrained by the powers granted exclusively to the United States, or prohibited to the State by the Federal or State Constitution. There is no prohibition in either against the election of representatives by single district. The Constitution directs the end to be attained; it leaves the means of attaining that end to the wisdom of the Legislature. The Constitution declares that representatives shall be apportioned among the several counties, but by what divisional districts they shall be elected, it does not declare, and does not prohibit the proposed mode. 'The Constitution allows to the Legislature every power it does not prohibit.' (Per Ch. Justice Gibson in Norris *vs.* Chymer, 2 Barr, 285.) Congress has no powers but those conferred by the Constitution of the United States, being a government for limited purposes; but a State Legislature has all powers not *prohibited* by the Federal or State Constitution. (9 Rob. 411, Bozant *vs.* Campbell.)

"Should, however, any doubt remain upon the mind of the Legislature of its ability to district the enlarged city for the next septennial period, there remain two views to afford relief from the suggested apprehension of an election by general ticket. Another amendment of the Constitution may be made in 1855, after a resolution by two Legislatures, and it would be but to meet the wishes and demand of the people of the State, to have separate election districts for senators and representatives. In this re-

spect the sentiment of the people of the city and county of Philadelphia accords with the desire of the people of the residue of the Commonwealth.

"Again, the 'city of Philadelphia,' as spoken of in the Constitution for election purposes, is a division of the State for apportionment of representatives of two square miles, neither more nor less; and it would but conform to the letter and spirit of the Constitution to enlarge the city boundaries, subject to the retention of the same limits, as a division for apportionment for both senators and representatives. William Penn, in 1682, surveyed the city on a plot covering two square miles. (1 Proud, 243.) His charter to the city, of 1701, made 'the limits and bounds as it is laid out between Delaware and Schuylkill.' Although that charter had expired by the Revolution, the Constitution of Pennsylvania, of 1776, recognized 'the city of Philadelphia' as entitled to a separate representation for members of the General Assembly and of the Supreme Executive Council. In 1789 a new charter was granted by the Legislature to the city of Philadelphia, still of its former dimensions. The Constitution of Pennsylvania, adopted in 1790, declared that the representatives should be 'apportioned among the city of Philadelphia and the several counties, according to the number of taxable inhabitants in each;' which are the words continued in the amended Constitution of 1838. The Constitution did then mean, and must continue to mean, that such section or division, for apportionment of representatives, should be between the rivers Delaware and Schuylkill and Vine and Cedar streets; and

it can be no infraction thereof to continue a division for that purpose of the same size, although the city, for all *other purposes*, be enlarged to the size of the county. Under this view, the present city and county limits of Philadelphia may, it is believed, be continued two divisions for apportionment of representatives, as heretofore, liable to sub-divisions into elective districts, if the former position be correct, as regards members of the House of Representatives.

"The city of Philadelphia of enlarged limits may be the same city, bearing the same name under an amended charter, as to corporate identity, but will not be the same division for apportionment of representatives intended by the Constitution, inasmuch as it will be a much larger section of the State. If the enlarged municipality were called the city and county of *Penn*, it could not be doubted that the city limits meant in the Constitution by the city of Philadelphia would be only the original two square miles; and this cannot be less the case, by calling the enlarged city by the old name. The present city was a separate representative and senatorial division in the county of Philadelphia, forbidden to be divided as to senators, but not as to representatives; and the Constitution cannot be invaded, by adhering to the same limits in apportioning the representation, although the other parts of the county are to be also embraced in the corporate limits and called the city of Philadelphia. If the two square miles were incorporated under the name of the city of *Delaware*, and the residue of the county as the city of Philadelphia, the former, and not the latter, must remain the intended constitu-

tional division. It is the geographical space and the people therein inhabiting, and not the name, that would establish the identity of the representative division, for this is what was in view when the Constitution was formed.

"The question of the extent of the limits of the enlarged city, as one principally affecting the citizens within the proposed boundaries, has claimed their own serious consideration. To take into the city but the present city and districts, would leave the two extremes of the county disconnected, and impose upon their inhabitants the necessity of joining contiguous counties; of seeking justice at distant county seats in the reverse direction from their ordinary calls from home, and of leaving those records which have preserved the muniments of their titles from the settlement of the province. The more vigilant pursuit of offenders, by the city police, would drive violators of the law to seek shelter or make their depredations outside the city, or thence make depredatory visits into it to the injury of peaceable citizens on both sides the border. With the rapid progress made in building, such an enlargement would have soon to be repeated by further annexations, for between Philadelphia and Frankford, Germantown, Roxborough, and Hestonville, there is already a continuous building connection. These considerations have had a decisive influence with the next contiguous boroughs and townships, to produce a willingness to come within the city bounds; and in a diminished degree the same influence has extended to the outer townships. But it is only necessary to look at the small

number of the inhabitants of the latter, to make it apparent that it is not unreasonable to put them to a choice of suffering themselves to be embraced by the new limits of the city or of joining other counties. They are less than five thousand taxable inhabitants out of nearly eighty-seven thousand. Shall the duplicate county machinery of county commissioners, treasurer, county board, &c., be kept up at great expense and disadvantage to retain so comparatively small a number? They would be parted with in regret, but a proper economy and duty would require the sacrifice, were it their choice not to be incorporated in the city.

"The large body of citizens, including some from every section who framed the bill, were unanimous in their vote to embrace the whole county, and time and explanation, it is believed, have reconciled many who were at first opposed to the including of the upper townships. The bill has been framed in a spirit of kindness and conciliation towards them. They are allowed wards with less than the average number of taxable inhabitants; they are not to be taxed for purposes that relate exclusively to the built portion of the city; their representatives in Councils are to share equally in the patronage with those of every other ward, while whatever general advantages shall be derived from the measure of consolidation, will equally result to them, nay, will be enhanced to them, as the impulse thereby, to be given to the growth of the town, will rapidly spread it upon the rural territory, and convert the fields into city building lots.

"To say that property generally will not be en-

hanced in value by the proposed change, other circumstances remaining the same, is not to speak the language of a sound and practical judgment. With a single and simple form of government, and one efficient police, to replace many, and works of improvement to subserve all sections, with but a slight increase of expense compared with the service performed, should reduce expenditures and taxes; with united action, and the concentrated intelligence and energy of the whole community, all enterprise must be better directed and more efficient; by the economy of general means, directed to common ends, money will be saved, and better adapted measures to promote manufacturing industry, and to facilitate and retain trade, profit, and capital will be increased, and these all produce demand for the sites of business and dwellings, and increase of the means of paying for them; and thus by the double operation of increase of demand, and of increase of money, price will rise. To say the contrary of this, is to contradict all experience and an inevitable law of political economy.

"While the whole will be benefited by the general measures to result from consolidation, there is no partial injury to result to any portion. Considered in respect to the burthen of existing debts, and a future liability to taxation, no section will have a just ground to complain of any other. To notice first the city proper, its property and resources exceed in value its debt; it imposes no burthen on any other portion. The district of the Northern Liberties is in like condition, and imposes no burthen on any other. But

the city and the Northern Liberties have nearly built up all their territory, and have no room for growth. Their capital expended in improvement must now be largely spent in other sections, and go to contribute to the growth and taxable resources of those portions now in a less favorable financial condition. It is this room and capacity for growth that make these worth to the enlarged city more than their present indebtedness. They have a future availability that makes their acquisition a profitable investment at the cost of their liabilities; they afford a basis for taxation and power, which they are too weak of themselves advantageously to develop, but indispensable as the foundation of a great city. When brought within the city limits and city government, capital will be more freely invested in a better character of buildings than now obtains in outside sections. This will call for surveys, grading, culverting, &c., by a present outlay of moneys, but to be abundantly repaid in the future revenue. It will be a process of mutual benefit. The strength, the credit, and prestige of the city will be extended for the present help of those who alone could but feebly and slowly achieve their growth, but soon to be repaid with increase of wealth and power.

"Through consolidation, Philadelphia city and county will achieve an improved mode of collecting the taxes, that will save to the tax-payers about one hundred thousand dollars per annum. The system established by this bill will also insure a much earlier collection, for the advantage of the finances and credit of both the city and the State.

"In establishing an organic change, forced upon us by the over-growth of the original limits for nearly a century, it is, perhaps, not to be expected that the Committee should notice the effect upon the existing political parties. It is a measure demanded, irrespective of party, by all political parties; for all parties see in its consummation the public good; and every party knows that if it resist a measure for the general good, when demanded by the popular voice, it must suffer loss. But happily this is a measure that will result to the injury of no party that does not resist it, and will make all parties subserve the general welfare. With elections by separate districts or wards, each section will be represented in the city and State Legislature according to the political complexion of the local constituency. The State representation will be divided between the parties, as it now is; and the city representation will be divided as the City Councils and District Commissioners now are not. Instead of City Councils all of one party, and District Commissioners nearly so, exposed to the temptations of opportunity and impunity, members of opposing parties will always be present to watch and check each other, and, with fuller information, discuss and decide every question, with a closer regard to what may be required by the public good; for by that test must each answer to a watchful community, and hope to command approval and obtain strength.

"Judging by the results of the elections for members of the Assembly and for county officers, the two great political parties, when the Whigs and Natives

act together as one, will approach an equality; and the ward divisions will show that result in City Councils. Which shall predominate at any time will probably depend upon the fact which shall present the best men to the choice of the electors, and pursue those measures they most approve; and should either fail in these respects, the means of redress will readily be within the reach of the people, where the disparity to overcome is inconsiderable. This will be a position of affairs the people are not likely to complain of.

"A further gain to the public will be, that with larger wards than heretofore, and with larger interests to guard and promote, exceeding those of many Commonwealths of this Union, it may be confidently hoped that men of large experience and stake in the community, may be willing to serve in the city councils. The city authorities then would combine the influence of the strongest men of the different political parties for the common welfare. The city then would always have in her service men in sympathy with the existing administrations of the State and of the General Government, that could not but result to the advantage of Philadelphia in her competitions with rival cities.

"As things have long existed in the present city, the community have had no advantage from the influence of more than one party, and that, most frequently, not in political unison with the State and general administrations. In that city are concentrated the millions of property that make it the focus of the wealth of the State, and there are shaped the policy,

concerted the measures, and provided the means, that are chiefly instrumental in developing the wealth and advancing the prosperity of the metropolis and the State. But neither Democrats nor Natives have, for many years, participated in the city administration; and the fact that they possess the power in the districts, makes their co-operation, for common measures, but the more difficult and unwilling; whereas, if all were combined in one legislative body, they would act with a concerted purpose, and with the united influence of all parties for the general welfare.

"Nor should the State regard such a result with distrust or apprehension as likely to produce an overshadowing influence. It is an indispensable result to enable Philadelphia to sustain the rivalry of other cities seeking to absorb her trade, wealth, and population. Pennsylvania cannot be indifferent to her own interests and honor in this regard. The increase of the trade, wealth, population, and power of Philadelphia, are but accessions to those of the State. Whatever ability is added to the city and her citizens is a power added to the State to open her avenues of trade, to increase her wealth and resources.

"Philadelphia united in her counsels, her purposes, and her strength, could easily open her communications to reach the trade of the north, northwest, west, and southwest. The vast trade that floats past, profitless to Pennsylvania, might be transported on her own soil from her only lake-port to her only great seaport. Fleets of ocean steamers might bring not only the foreign importations, but the freights of

Boston and New York upon the lines of Pennsylvania railways and canals, and find thereby the cheapest transit to the far west, and by the same channels be returned the produce of the interior and the iron and coal of Pennsylvania.

"On the day that the bill consolidating the city and county of Philadelphia into one shall receive the executive sanction, Philadelphia will be the largest and best built city in the United States. She would rank second in population only because the people are less crowded and more comfortably housed than those of New York, and her diminished commerce has thrown fewer immigrants upon her wharves. She is only second in commerce, because New York first opened a great avenue of trade to the west, and thus supplied the return freights for the ships that brought into port her imports and passengers, until by this action and reaction, both as cause and effect, a trade has arisen that outstrips all competition. It becomes us to take this lesson deeply to heart, and, knowing the cause, retrieve the error; and this generation may yet see Philadelphia achieve in the aggregate, if not in all the elements, a power and greatness that will place her the foremost of American cities. But it will not be forgotten, that whatever be her increase, it will be so much added to the wealth, prosperity, and power of Pennsylvania.

"In conclusion, the bill recommended to be enacted into a law, in place of many corporations, with dissimilar and conflicting powers and laws and opposing interests, with numerous sets of officers, police, and watchmen, will establish one city government, with

one legislative authority, one executive head, one set of police and watchmen, and other public servants, with one code of laws and one common interest to bind all the parts together; instead of many loans of differing values, one consolidated loan of one value and of undoubted credit; instead of many collectors, seeking various taxes at every habitation, one general receiver of taxes, voluntarily paid, without commissions; instead of many departments without supervision or accountability, all will be placed under public observation to the citizens and accountability to councils, and held bound to the common centre; and instead of elements of strength and usefulness neutralized and lost by division, a union of the power and intelligence of all parts and parties will be concentrated for the welfare, prosperity, and happiness of the city of Philadelphia and the Commonwealth of Pennsylvania."

It is deemed important that the preceding report should be preserved entire, for its statement of the grounds upon which the Consolidation movement was based; so apt to be forgotten when the evils cured have ceased to be felt, and new generations can only know of them traditionally or by history. It is also due to those who gave much time and talent to the work, that they should be justified in our municipal history, and have their fair meed of praise.

CHAPTER V.

PRINCIPAL PROVISIONS OF THE CONSOLIDATION ACT.

Some of the features of the Consolidation Act should be here noticed. In place of a cumbrous name that of "The City of Philadelphia" was adopted as the style of the corporation. The identity of the corporation was carefully preserved, so that there should be no ground for a question as to trust titles and other property. It enacted that "the boundaries of the said City shall be extended so as to embrace the whole of the territory of the County of Philadelphia, and *all the powers of said corporation*, as enlarged and modified by this act, shall be exercised, and have effect within the said County and over the inhabitants thereof." Mr. Fraley's pen thus embodied the comprehensive idea of the Sub-Committee and Committee. No power of the City was surrendered that was not inconsistent with the act, while certain powers of the Districts were also preserved, and the retained and new powers were made to pervade the area of the enlarged City.

Besides the sanction of the professional opinion in the General Committee that formed the Bill, Mr. Price obtained and took with him to Harrisburg the written opinions of George M. Dallas and John M. Read, that the titles of the City to trust and other properties could not be impaired by the proposed law.

A recent decision of the Supreme Court of the United States, in the case of Girard *vs.* Philadelphia, 7 Wallace's Reports, 1, fully affirms the validity of those opinions. It is there held that "neither the identity of a municipal corporation, nor its right to hold property devised to it, is destroyed by a change of its name, an enlargement of its area, or an increase in the number of its Corporators; and these are changes which the Legislature has power to make."

The area of the City is divided into twenty-four wards, from which are to be elected one Common Councilman for every twelve hundred taxable inhabitants, and one for every fraction of six hundred or more; and one member of Select Council for each ward. They are vested with the municipal legislative authority. All the property of the Districts was vested in the City, and all their debts charged upon the City.

The Mayor is elected for two years; is relieved from sitting as a police magistrate; and has greatly enlarged powers for the preservation of the public peace: "Besides the powers otherwise conferred by law, he shall have the like power and authority as the Sheriff of the County of Philadelphia now has for the suppression of any riot, disturbance, and violation of law; and shall exercise the authority of making the requisition for the commanding officer of the military, in lieu of the Marshal of Police as now authorized by law, and of dismissing all police officers and watchmen . . . for failure in the discharge of duty." He is to make recommendations to Councils in matters relating to the welfare of the

City; and to see that the municipal laws and ordinances are executed; may call special meetings of Councils, and exercise a veto power over the passage of ordinances, to be an effective negative until overcome by a vote of two-thirds of each chamber of Councils.

A City Treasurer is made elective by the people; and also a Receiver of Taxes. The taxes are collected at a central office, with deductions for early payments, according to the period of such payments. This provision superseded many tax-collectors, who, like the firemen, had incurred the jealousy of the people on account of their combination and undue influence in nominating and electing candidates for office, and to Councils and the Legislature.

A City Controller is a new provision. He is elective by the people; and is to "countersign all warrants on the City Treasurer, and shall not suffer any appropriation made by the City Councils to be overdrawn, and shall perform all the duties now enjoined by law on the County auditors." He is to superintend the fiscal concerns of the City, make report to Councils, and to scrutinize and publish the public accounts of the City and its trusts.

The performance of executive duties have been taken from Councils and conferred upon Departments, and these are made subject to the supervision of Councils. These are the Departments of Law, of Health, of Prison Inspection, Guardians of the Poor, of Police, of Highways, of Water, of Fire, of Surveys, of Education, Revision of the Tax Assessments, Port Wardens, all of which have their pre-

scribed duties. The members of the Board of Health and Guardians of the Poor were made elective by the people in the Consolidation Bill; but politically elected incumbents were found to abuse their trusts in their management, and by supplement the appointment of the members of said Boards was conferred upon the Courts; and yet later, all the City charitable trusts have been placed in the management of the appointees of the Courts. These instances, with others, show that partisan politics do not work up to the standard required for the good administration of trusts, either as respects ability or integrity. The people are always honest in their desires, but they are not usually afforded by the political managers such a choice of candidates, as to ability or integrity, as they might command, if those who do not seek office or place were selected instead of those who seek to profit by office or place, even when no salary is provided by law for the public service.

The City was directed to organize a police department, and authorized to organize a fire department, and to regulate it "for the preservation of the public peace, the suppression of riot and disturbances, and for the extinguishment of fires, and the protection of property thereat, and for this purpose the said Councils shall be and hereby are vested with ample power and authority in the premises."

The details of the Act may be seen by reading it and its supplements. It is intended here to notice only its general features, and to enumerate the greater powers, by which the great City will be enabled to make its history, and provide for the welfare of its

Citizens when they shall be millions. The legislation under consideration has conferred the requisite powers, and it is only required that we shall be true to ourselves to accomplish a great destiny, and stand in the foremost rank of civilized communities. Consolidation has removed many facilities and temptations to disorder and crime, but it could not promise to reform human nature; and many evils yet exist that only the people themselves can remedy, by electing true men to Councils, and to fill the municipal offices, and to represent them in the State and Nation. They must be ever watchful and fearless in exposing and convicting the fraudulent and criminal, and thus purge their municipality, and their State and National representation of corruption.

The following section is in the Charter, which prohibits the offence of corruption, and provides the remedy, whenever the covers of fraud can be stripped from the public functionary:

"If any councilman, guardian of the poor, member of the board of health, controller, or director of the public schools, or warden, or inspector of the prison, or any other member or officer or agent of the said city corporation, or of any corporation or department by this act recognised, or clerk therein, shall at any time be directly or indirectly interested in any sale to or contract for supplies to be furnished to said city, or to any corporation or department by this act recognized or placed under the supervision of Councils, of which he shall be a member, or officer, or clerk, or agent, or shall receive any gratuity, money, or property whatsoever, by reason of such sale or con-

tract, or shall take any fee beyond that prescribed by law, he, if a councilman, or elective officer, or officer appointed by court, shall be impeached in manner hereinbefore provided, and if found guilty shall forfeit and vacate his seat; and if any officer or clerk appointed by Councils, shall be removed from his office or appointment; and any vendor or contractor participating in such act, shall be incapable of recovering any demand thus infected by fraud, and all such offenders shall be deemed guilty of a misdemeanor, and upon conviction of such offence in the Court of Quarter Sessions for said city and county, shall be fined and imprisoned at the discretion of said court."

Whenever the proofs have been sufficient the Courts have done their duty, and, judging by the past, we may believe that they will continue to do their duty fearlessly.

The Citizens to do their duty, besides exerting a perpetual vigilance, must know their devices, to ferret out the frauds of vicious officials. The most usual devices of fraud are to give out contracts with the understanding that a percentage of the price shall be paid to the officials; that stone, gravel, bricks, work, &c., shall be procured where officials are interested in the supply; or that these be sold to the City at an overprice, or be overcounted, or overmeasured; and that the funds thus overdrawn from the treasury shall be divided among those whose votes or influence procured the improvement requiring the expenditure to be made. Those who act upon fraudulent motives may be considerably in the minority in such bodies

as Councils, yet if they be enough to overcome the difference in votes between honest voters, they may control the measures of the body. This is the common experience; and more than enough for success is not wanted in the ring to divide the spoils; and thus the good and true men, to whom we all owe deep obligation, are unable to protect the City from the plunder which they know will follow municipal action. Hence it is that required improvements are often left undone by honest Councilmen.

A most salutary principle of the Charter is that which requires provision for the extinguishment of a loan when it is made. "No debt shall be incurred or loans made by the said City, without a cotemporaneous appropriation of a sufficient annual income or tax, exclusive of loans, to pay the interest and sink the principal of such debt in thirty years." Under this provision all loans subsequently made to the City will be in course of liquidation after February, 1884, and the debts in time will become extinguished by the Sinking Fund, unless new loans continue to be made; and of the occasion of these the people or their representatives themselves must be the judges.

To the powers conferred by the Consolidation Act, there is yet wanted the security that they shall not be capriciously repealed or impaired by the Legislature or be superseded by Commissions; and that some further judicial power and quick and sharp remedy should be had over corrupt and delinquent officials. Mr. Price, at the instance of the Citizens' Municipal Reform Association, prepared some amendments that, if placed in the State Constitution, would supply

these wants. It is for the members of the Constitutional Convention to provide such protection for the Cities of the Commonwealth. That the Cities may be self-governed, without Legislative Commissions emanating in corrupt purposes, and that the public contracts may be executed without corruption or fraud, it is absolutely essential that the Citizens shall be clothed with efficient powers of prompt prevention and the sudden dismissal of offending officials. This being done there should be no occasion or excuse for any Commission, that, irresponsible to the people can yet tax them, for any amount of expenditure they may please to incur. There is in the establishment of such Commissions a violation of the fundamental principle which justified our ancestors in venturing upon the revolution of 1776; the principle that there shall be no taxation of a free people but by the chosen representatives of the people.

CHAPTER VI.

THE CONSOLIDATION FESTIVITIES.

In the *North American and United States Gazette*, of the 13th of March, 1854, will be found an account of the Celebration of Consolidation on the 11th of the month. The entertainments consisted of an excursion on the Delaware, under the auspices of the Board of Trade, a ball at the Chinese Museum, a banquet at Sansom Street Hall, the visits of the Governor, the members of the Legislature and City Councils to various Public Institutions, and an illumination of the Public Buildings, the Hotels, and central parts of the City, with the exhibition of transparencies.

The officers of the banquet were,—Chairman, Morton McMichael; Vice-Presidents, P. R. Freas, H. M. Watts, N. B. Browne, John P. Verree, Andrew Miller, William S. Price.

The platform-table was occupied by the Chairman, Governor Bigler, the Hon. Mr. Chase, Speaker of the House of Representatives, Judge Sharswood, General George M. Keim, William D. Lewis, Hon. Hendrick B. Wright, Hon. Richard Rush, Judges Lewis, Knox, and Woodward, of the Supreme Court of Pennsylvania, the Hon. George M. Dallas, the Hon. James Cooper, Mr. George B. Matthew, the British Consul

at the port of Philadelphia, Mayor Charles Gilpin, William B. Reed, District Attorney, Judge Oswald Thompson, and General George Cadwalader.

But brief extracts can be given from the many appropriate speeches delivered at the banqueting tables; and these are now given without the interspersed applauses of the audience.

The Chairman said,—

"It has seldom happened, never, I think, in the history of our own Commonwealth, that so many persons clothed with the functions of the State have assembled on an occasion not connected with the strict performance of official duty. The Chief Magistrate, the Members of the Legislature, the Judges of the highest tribunal known to our laws, the Controllers of our public Revenue, the Heads of Executive Departments; in a word, the representatives of all the co-ordinate branches of our government are here to-night. Besides those who are here as the representatives of the State in its independent capacity, there are present those who represent it in the general councils of the nation, as well as those who have been selected from the State to administer and execute justice in behalf of the Federal Government. In addition to this, there are here assembled representatives of the various political, civil, and social constituencies that compose the strength and the power of the metropolis of the State. The executive and judicial local functionaries,—the chiefs of municipal organizations,—the chiefs of commercial, industrial, scientific, literary, and educational associations, —the chiefs of the various interests connected with

the trade, the finances, the economy and the development of the city,—members, eminent members, of the various learned professions, and citizens distinguished by long and useful lives of public service, are around and before me. Pennsylvania and Philadelphia are here, symbolized and typified by those who have been selected by the popular voice, or through some instrumentality of the popular will, to exercise legislative and administrative functions, and thus to embody the sovereignty so delegated to them. Surely,—surely, such an assembly, not in reference to the individuals who compose it, but the vast concerns confided to their care, may well be pronounced august.

"Nor is the occasion of this assemblage less remarkable than the assembly itself. A people numbering half a million of souls, heretofore divided by absurd geographical lines, and, worse still, too often making those lines the boundaries of their public efforts,—a people who, though homogeneous in their pursuits and interests and affections, have been too often antagonistical in their practice, because of those boundaries,—this people, realizing their anomalous condition, and determined to correct it, have, after repeated struggles and failures, at length accomplished the end they had in view, and are henceforth to be united,—to become one and indivisible. This grand event in the history of Philadelphia—for it is grand, both in its present aspect and future consequences—is the reason of our gathering to-night; and could there be a better or more sufficient reason for even such a concourse as this?

"But little more than sixty years ago the first charter was granted to the City of Philadelphia by the then existing government of the State. At that time Philadelphia, though the first city of the newly-established federal Union in population, in wealth, and in resources, was a city of scarcely thirty thousand inhabitants. Since then, within the period of three-score years and ten, assigned as the sum of man's ordinary existence,—within the personal remembrance of at least one venerable gentleman who sits near me,—this city has grown to be a city of half a million; while in the arts, in industry, in commerce, in science, in all the material of civil and social advancement, its growth has been commensurate with the growth of its population. And this growth it has attained in despite of discouraging drawbacks,—in despite of misfortunes and vicissitudes,—in despite, in its earlier day, of the ravages of pestilence, and, in its later day, of wide-spread commercial disaster,—in despite of unfriendly legislation and misdirected friendliness, and, above all, in despite of the discordant and inharmonious elements of its political constitution. It is not my province to-night, gentlemen, to dwell upon the topics at which I have glanced,—that will be more appropriately done by others,—but in view of what we have accomplished, even under the restraining influences of adverse circumstances and hostile sectional interests, may I not predict, and will you not all join in the prediction, that in the not distant future there is reserved a fullness of maturity, such as even our former progress can but faintly indicate, for *Consolidated Philadelphia?*"

He concluded by giving the toast, "The State of Pennsylvania," and called upon GOVERNOR BIGLER to respond. Among other things he presented was a verbal picture of what this spot was when William Penn came here, and when he at once founded this City and the State. He depicted the City's progress, and what it was within the memory of Hon. Richard Rush, then sitting by him, when, though the largest city in the States, her trade was transported first by pack-horses, and next by Conestoga wagons. He proceeded, "I have thus far been speaking of old Philadelphia as she was; as to the new Philadelphia as she is, augmented by her recent mighty accessions, I am not prepared to admit that, in an aggregation of the elements and qualities of a great and happy city, she is second to any in the Union. She is no longer wanting in enterprise; and I am sure her territorial sufficiency will not be doubted. With an area of 76,000 acres, inhabited by over a half a million of industrious, enterprising, and patriotic citizens—with her rich variety of industrial pursuits—her high attainments in the mechanic arts—with a sufficient channel for foreign commerce—with a safe harbor, and an unequalled extent of wharfage—with one iron arm already extended to the waters of the Ohio, and the efforts she is making to extend a similar limb to the lakes to gather in the rich fruits of the boundless West—enjoying an unblemished reputation for commercial and financial integrity, who can doubt her future triumph, sustained, as she will be, by the fraternal sympathy of the entire State? For whatever of prejudice may have heretofore existed between the

country and city, I agree with my esteemed friend, the President of the Committee, that in interests and feeling, Philadelphia and Pennsylvania are one and indivisible. Intercourse, the greatest corrective of error and prejudice, has done its work, and the fruits of this occasion, I am confident, will be mutual friendship and fraternity from one extreme of the State to the other.

"But, gentlemen, it is not commerce and trade, population and wealth alone that must be placed in the scale when the aggregate merits of a nation or city are to be ascertained. The social and moral condition of the people is a far mightier and nobler consideration. It is not so much the opulence of a city as the happy condition of the mass of its inhabitants that reflects its true glory. The largest share of individual comfort, the greatest measure of intellectual development, the highest degree of Christian and moral dignity, should be the standard by which we test the greatness of a city. And it is in this regard that Philadelphia stands relatively best and is most to be admired. From her earliest days her poor have suffered less than in most of the large cities. They have, at least, had houses to live in, and not been stowed away in cellars and garrets as in Paris and London, and, to some extent, in New York. Humanity and benevolence have been her distinguishing characteristics. Her hospitals for the sick—her spacious asylums for the widow, the orphan, and the insane—her home for friendless children—her humane associations to relieve the animal necessities of the destitute—her infirmaries for the relief of the

helpless—her schools for the blind, the deaf, the dumb, the imbecile and the idiotic—her House of Refuge to reclaim vagrant or erring youth, with a hundred or more charitable associations, rise up as so many witnesses to testify that she has not been deaf to the demands of suffering humanity. Her two hundred and fifty-six churches and her numerous societies to disseminate the Gospel in heathen lands, evince that she has not rejected "that righteousness" which exalteth a nation. Her institutions are beacon lights to guide her in the path of duty, and show her the way to true glory. Her two hundred and eighty public schools, her colleges, her academies, her seminaries, her university, her almost countless number of literary associations and mechanic institutes, attest her appreciation of the cause of education, the great leverage by which mankind are elevated in the scale of civilization and Christianity.

"Such, fellow citizens, are the distinguishing characteristics of this new and flourishing city; and it is befitting that we should mingle our congratulations on the consummation of a measure so well designed to give her a fresh impetus in her growth, and to add a brighter lustre to her fame. The agency I had in this work, allow me to say, was a labor of love. I was prepared for it, and there is something significant in the circumstances which surrounded its consummation, for I signed the bill in the north western extremity of the State, in the city of Erie, as though it were to be in future a covenant of mutual confidence, and protection between the extremes of our Commonwealth—or typical of a closer sisterly affec-

tion between the cities of Erie and Philadelphia; and such I trust it may prove to be.

"I congratulate you, therefore, Philadelphians, on the auspicious circumstances under which the consolidated city commences her career—on the brilliant promises presented for her future. God and nature have blessed her with abundant means of prosperity, and it is only necessary that her present inhabitants use the ordinary means of industry and enterprise to give her the position she once occupied of the greatest city on the continent. Although in the race for commerce and trade she may possibly come out second best, yet in all the higher purposes of civilization, I confidently predict her triumph. The principles of benevolence and charity, interwoven, as they have been, with her whole history like threads of gold, will never be permitted to lose their lustre. Like a rainbow of promise to suffering humanity, they will stand over and above all her other characteristics."

After music the Chairman rose and said:

"If we of Philadelphia have been indebted to the Governor for the readiness with which he signed our Consolidation bill, how much more are we indebted to the Legislature for the readiness and unanimity with which they passed the bill? I have risen now for the purpose of proposing 'The Legislature of Pennsylvania,' in which you will, I know, heartily unite.

"Gentlemen, as it cannot be expected that the Legislature should cheer themselves, we citizens must perform that ceremony for them; and let us show, in reference to them, that out of the abun-

dance of the heart the mouth speaketh, and how handsomely we can cheer upon such an occasion."

Prolonged and hearty cheers were then given for "the Legislature of Pennsylvania," after which Mr. Chase, Speaker of the House of Representatives, rose and among other things said:

"The constituency of this great commonwealth, whose representatives we have the honor to be, greet you all. Hither, in their name, hither we have come to stand beside 'the cradle of American independence;' but how changed the scene since that morn when the bell from yonder dome tolled out its loud-tongued peal, proclaiming 'liberty to the captive and freedom to the inhabitants of the earth.' To have been aptly styled 'the Cradle of Liberty,' to have been the theatre within which the solemn and momentous acts of '76 were performed, might be the sufficient glory of this the proud metropolis of Pennsylvania. If naught else existed here to fix the hearts of the people of these States to your altars and your household gods, this, and this alone, should be sufficient to embalm the 'City of Brotherly Love' in the affections of every American patriot for all time to come, and stamp upon it the name of hallowed ground. Hither come the warm prayers of millions as to the Mecca of their earthly devotions. Around this lovely city cluster the fondest reminiscences of all that has been great, and good, and pure in American republicanism.

"Citizens, you have us your guests to-day, in commemoration of an event in which, as Representatives of the Commonwealth, we acted a part. A few

weeks since, and your city proper was embraced within narrow limits,—the space assigned to its birth. Long, long years had you struggled in vain to burst the fetters cast upon its infancy. You called aloud, and we responded to your call, by tearing asunder its swaddling clothes, and bringing you forth, in a day, to the gaze of the world, the largest, and one of the most powerful cities on the globe. Thus you are to-day, and thus we hail you now, as the jewelled bride of our Commonwealth, loved, honored and blest, while we earnestly invoke the favor of the Ruler of all human events, to rest upon thy walls and dwell within thy palaces."

The next toast was "The Supreme Court of Pennsylvania," which was replied to by JUDGE LEWIS. He spoke of the elective judiciary; and said,—

"With regard to this question of consolidation, no man can witness what has here been presented without feeling his heart rejoiced at the event; and in time to come we shall see that all the prejudices which have been spoken of have in reality passed away."

To the toast "The Consolidated City of Philadelphia," GEORGE M. DALLAS was called upon to reply: Two paragraphs of his discursive answer must here suffice:—

"Mr. President—I am not prepared to throw any new light upon the subject of that toast. Consolidation has so long—some eight or ten years—been upon the anvil of public and private discussion, that an effort to strike a fresh spark from it by an additional blow, would be labor lost. Its incidents and

its contemplated results are all understood and fully appreciated by the distinguished gentlemen under whose legislative and executive auspices it has been finally perfected, and by whose welcome presence we are now honored.

"In combining fourteen or fifteen distinct, and sometimes conflicting, municipalities, or public political agencies, into *one*, it was impossible not to anticipate the beneficial consequences which naturally flow from concord and co-operation. Unity of enterprise, unity of sentiment, unity of legislation, unity of action, unity of contribution, unity of force, in all that relates to the common good, the common fame, the common safety, and the common order, are invaluable aims which can scarcely fail to be attained."

After speaking with a fond attachment to the Philadelphia of the past, he said,—

"But, sir, I withhold. The tone of these reflections is not made appropriate by either the times or the toast. Ours are an age and a country of *progress;* and of that, consolidation is the latest, a glorious and characteristic shoot. We have long since disproved and repudiated the lethargic aphorism of Dr. Johnson—

> "Extended empire, like expanded gold,
> Exchanges solid strength for feeble splendor."

"Such a principle is unsound in application to American institutions. We have never yet been debilitated by enlargement, whether of City, State, or Nation; and for this plain reason,—that our power, or 'strength,' is not vested in a fixed few, but is

found, constitutionally and legitimately, with the sovereign masses, wherever their localities may be. It is easy to become inert, sluggish, and immovable: to shrink and falter at every advance, and to habituate the mind as well as the body to dread, as dangerous and doubtful, the bold exposure of an onward march. But the advocates of consolidation have not felt, and need not feel, any such morbid apprehensions.

"No! we rather hold it better men should perish one by one,
Than that the earth should stand at gaze, like Joshua's moon on Ajalon;
Not in vain the distance beckons; forward, forward let us range;
Let the great world spin forever down the ringing groves of change;
Through the shadow of the globe, we sweep into the younger day;
Better fifty years of *our Land* than a cycle of Cathay!"

SENATOR COOPER was next called upon to respond to the toast, "The Members of Congress from the State of Pennsylvania." His reply was upon national subjects and statesmen, after adverting to this as the place where sat the Continental Congress.

"Mr. Cooper said, that his thanks were due to the assembly for the kind and complimentary terms in which it adverted to a body of men with whom it was his pleasure and pride to be associated. To have remembered them approvingly in the midst of the gay festivities by which the city was celebrating an era in her history, from whence her progress in wealth and greatness was to be accelerated, her influence in the State increased, and new safeguards thrown around the persons and property of her citizens, was a compliment deserving of sincere and hearty acknowledgment.

"The sentiment, he said, was full of suggestiveness. It carried the mind not only to the Capitol, where the present representatives of a great nation were deliberating how its wealth was to be augmented, and how far its strong arm was to be stretched forth to buckler the oppressed of other lands, but backward to the period when the fathers of the Republic first held council, not as to how the wealth of the colonies was to be augmented, but their liberty won; not as to how their power was to be increased, but their just and inalienable rights preserved; not as to whether their arm was to be stretched forth as the shield of others, but whether, relying on their own deep devotion to freedom, and the aid of the God of battles, they could maintain the cause to which they pledged their lives, their fortunes, and their sacred honor."

To the toast, "The Commercial Representatives of Foreign Governments at the Port of Philadelphia," the British Consul, Mr. MATTHEW, was called upon: After some preliminary remarks he proceeded to speak in terms accordant with the present restored good feelings between the two countries:

"Gladly, believe me, have I been present, and with much satisfaction and enjoyment have I listened to the admirable expositions and brilliant remarks that have been made.

"It would be idle in me to resume a subject already so ably discussed. But I am proud to congratulate Philadelphia, a city in which I have the honor to be a resident, upon what has been said by her Representatives and others who have preceded

me. Their remarks have called to my mind some lines of one of our oldest and quaintest of poets, which, evidently, those gentlemen must have been conscious of, or to which, at all events, their acts make them, practically, parties—

> "No man is born unto himself alone;
> Who lives unto himself he lives for none;
> The State's a body, each man a brother is,
> And bound to add his measure to the public peace."

"Individually, I cannot be uninterested in the increased commercial prospect that has opened upon Philadelphia. Indeed, I must hail with the greatest pleasure this evidence of her holding her proper position among the cities of the United States.

"I may, I believe, attribute the kindly reception I have met with on this and other social occasions, from the people of the United States, to the just appreciation I entertain of their present power, and of their great, their inevitable future. So far from its being a matter of jealousy, I believe that I speak the feelings of every enlightened Englishman when I say that it is a matter of pride and gratification to us all. That future, gentlemen, I repeat, is inevitable. It is inevitable as long as you adhere to the councils of one, not less revered in my country, in private opinion, than in his own, as the great, the noble, the pure-minded Washington.

"I like not, sir, to follow a beaten track, but it is easy for every man who reads, to feel, as I do, the peculiarities of the history of the world. Empire, from the earliest period of the world, has travelled westward; and one cannot but have observed that

as it has travelled westward, so it has assumed the form of refinement and civilization. Empire will travel westward with you, blessed by the fruits of commerce, and gilded by the halo of peace and good will to all men."

FREDERICK FRALEY was called upon to answer "The Industrial resources of Philadelphia." These he traced, as to printing, from Benjamin Franklin's beginning as a printer here, to the triumphs of the steam press; from the first chemical laboratory of the grandfather of the then John Price Wetherill to the many that at this time existed over the enlarged City; and the cotton-spinning and weaving from the hand-loom up to factories employing a thousand hands; and the manufacture of Locomotives from the first one made in this country, by M. W. Baldwin, to that time when he was, as the same establishment is now, the largest supplier of Locomotives in the country, and to those that Eastwick & Harrison were building for the Emperor of Russia. He adverted to steam as applied to navigation by Fitch, and by Robert Fulton, to its employment on the Mississippi and the other rivers and Lakes of the Country. After further notice of our industrial progress, Mr. Fraley proceeded:

"The true sources of commercial prosperity are found, Mr. President, in the productions of agriculture, mining and manufacture; the abundant possession of these productions will bring ships and customers; and wealth, population and foreign trade all naturally follow. What a bright destiny and future may we not, then, cherish for our beloved city! Most of us

recollect when it was '*first among its peers*,' and it needs no very sanguine temperament to predict that it will soon be *first* again. Its manufacturing and mechanical industry now far exceeds that of the whole of the old thirteen States at the commencement of the present century, and their march is still onward. Let us wisely and abundantly foster these potent elements of our strength, and pointing to the foot of the giant as it is emerging from the womb of the future, say out to our contemporaries 'ex pede Herculem.'"

Gen. Geo. M. Keim answered to "The great Staples of Pennsylvania, her coal and iron." Among other things he said,—

"Philadelphia is now stepping fearlessly forward to achieve what she can, and what she ought ere this to have accomplished; and she will yet rank among not only the first cities of this Union, but among the first in the world. She has all the elements of power within her own grasp, and she will now carry out the design of the founder of Philadelphia, by whom this city has been called 'the City of Brotherly Love.' The iron business must finally become the main reliance of this Commonwealth."

William D. Lewis spoke upon "The Commerce of the City." Among other appropriate things he said,—

"It is well known that the geographical position of this city gives it advantages, as a distributing point, over all others. To ensure to us their full enjoyment it is only necessary that we should imitate, and outstrip, the good example of our neighbors by securing, as

we can, such access to the Western States as will place our means of intercommunication with those prosperous communities beyond the reach of rivalry. Something we have already done in this direction: witness the daily throngs of travellers who reach us by our only western avenue, and the condition of our streets surrounding its depots blocked up with the merchandise there seeking an outlet. But much remains to be done. And it is not necessary for me, in such a company as this, to present arrays of figures to show how vastly more important is internal than external commerce."

To "The Bar of Philadelphia," WM. B. REED responded. His address had no bearing on consolidation.

JUDGE CONRAD spake to "Our Railroad Connections," with characteristic fervor and eloquence, as essential means to build up the greatness of the City and State.

At a late hour, the Chairman seeing Mr. Rush rise to depart, recalled him by a toast to "The health of the Hon. RICHARD RUSH." After a few remarks he said:

"The occasion has been a joyous one, and joyous not only to the Philadelphians who have been present, but joyous, also, to thousands and tens of thousands who have been absent. Mr. President and gentlemen, I thought that I had always been a zealous Philadelphian. Born here, as my forefathers were, from the time of Penn, I could have no other feelings than those of pride. But they have been tenfold increased to-day. Surely we have a right to be proud of our

city—the leading city of the old thirteen colonies before the Revolution; the city, the sound of whose State House bell—as has been beautifully remarked by Mr. Speaker Chase—summoned the representatives of those thirteen old and noble colonies to the birthplace of Independence,—the city which took a leading share in that great and glorious struggle; not by her numbers alone, but by her various resources, and, above all, by her steady and invincible devotion to the cause of the Revolution—the city which, by the contribution of her means, her money and her courage, enabled our great and glorious Washington,—to whose mighty name and fame our distinguished foreign guest referred with so much gratification to us all,—to achieve the first and greatest of his military triumphs, and which finally enabled him, when our powerful foe thought, and with reason, that we were prostrate at his feet, to turn disaster into victory and glory.

"I am sure that our distinguished guest will allow me to say *that*. I assert it, because it is history, and I assert it, because he has the spirit in him, Briton as he is, to do us justice, and appreciate the result. And when we had such great names as Chatham, Burke, Camden and others with us, he must admit that we would not have been worthy to be Englishmen if we had submitted to that galling oppression which the spirit of no true Briton would ever brook.

"These are some of the glories of Philadelphia. This is the city in which the Federal Constitution was formed, the city in which, with the exception of his native State, Virginia, Washington spent the

greater portion of his life, the home of Franklin, whose ashes sanctify our soil. Surely we have reason to be proud of such a city. But I do not mean to forget to say—and it is a main purpose with me to say it—although it has been already said far better than I can utter it—that we owe what we are and what we have been, to the State to which we belong. They are identical; the prosperity of the one is identical with the prosperity of the other. I need not enlarge upon her resources. With the prosperity of the Commonwealth we prosper; and with the prosperity of our city, I trust that our great and noble State will derive reciprocal advantage. Let us hope that this night may consolidate us in our affections and in our hearts, as we have ever been in our interests.

"But I cannot conclude the few and hasty words I have uttered without quoting the sentiment, than which better could not have fallen, among the many excellent ones, from the lips of our Chief Magistrate, that the future of Philadelphia may realize the promises of the past and go beyond them."

The following letter was received from Mr. PRICE:

"PHILADELPHIA, March 11, 1854.

"*To Morton McMichael, Esq., Chairman of the Consolidation Committee:*—

"A recent bereavement prevents my being with my brethren of the Senate on your festive occasion. Say for me to those assembled that the people of Philadelphia owe their consolidation into one city to the unanimity of their own will, and to the liberal

justice of the Senators, Representatives, and Executive of the Commonwealth. By their authority will be accomplished the most important event in our municipal history, and from the year of our Lord 1854 will be dated the re-foundation of the city of Philadelphia. The authors of the generous act will not fail to regard their work with kindness, and the citizens will not cease to acknowledge their debt of gratitude.

"To the citizens of Philadelphia I would further say that the task of reorganizing a government of a national importance will demand the aid of their most capable men. The separated parts are to be united into a harmonious whole, the laws reconciled and enforced, all disorders repressed, commerce and manufactures encouraged, the city's credit sustained, her character elevated. The emergency authorizes you to appeal to the patriotism of Philadelphia's strongest and most reliable citizens. Services required by the public welfare the people may demand in terms that will admit of no refusal.

"I will but add that the event you celebrate is founded in the principle that the public good is the supreme law, which alike guards State rights from a national centralization and demands that incongruous municipal divisions should be transformed into one consolidated city. May it be perpetuated in its integrity until Philadelphia, now the largest, shall become the most populous and wealthy city on the continent, —the metropolis of a State the richest in resources and the elements of power of any in the Union.

"I am, with sincere regard,

"ELI K. PRICE."

CHAPTER VII.

THE MOBS THAT PRECEDED CONSOLIDATION.

It is sometimes asked, has consolidation upon the whole been beneficial to Philadelphia? They who ask the question are usually so youthful as to have little or no recollection of the evils and obstructions that preceded that event; or they are of the few who at the time were opposed to it, and consistently will not admit any resulting benefits: persons constitutionally opposed to progress, who would have preferred in the Revolution to remain colonists, and to live ever since under the common law much as our ancestors brought it from England. Those who have no memory of the miry, rugged and hilly road that preceded the smooth and level turnpike on which they are traveling, can have little appreciation of the blessing of the change; and those who are averse to enterprise, and have an abhorrence of all change, cannot be expected to sympathize with the rapid growth of cities, States, and the nation, as we admiringly see them springing up and advancing from the Atlantic to the Pacific Ocean.

It seems incumbent, therefore, upon some friend of the re-foundation of the City, to set forth in some detail the most aggravating of the evils that induced the change, and to make some historical comparison between the condition of things between the less than

twenty years which have passed since the date of consolidation, and the like period which preceded it.

Three causes have been operative to produce the great riots which disgraced our City for many years: the hatred of the negro by vulgar and inhuman white men; the antagonism of labor to machinery; and the hostility of Orangeism and Nativeism to the Catholics.

In 1835, because a colored Cuban boy had attempted to kill Mr. Stewart, with whom he lived, a mob of white men collected at Sixth and Seventh and Lombard and South Streets. They chased and maimed and mangled the people of color; broke open many of their houses; fired Red Row, and prevented the firemen from extinguishing the flames. This mob raged for two nights, and the colored families fled the neighborhood, not knowing where to find shelter. (16 Haz. Reg. 36.) This was a repetition of similar riots that had occurred in the same sections of the City and Southwark in previous years.

"The Pennsylvania Hall" was built at the southwest corner of Sixth and Haines Street, between Arch and Race Streets, by those interested in the Abolition cause, but for the discussion of Abolition principles, of Temperance, Liberty, and Equality. It was a commodious and splendid building. It was opened to the public on the 14th day of May, 1838; but before the Inaugural proceedings were completed, it became the occasion of great misrepresentation and excitement among the citizens. On the 17th the building was occupied by the Anti-Slavery Convention of American Women, who, though all day sur-

rounded by a threatening mob, conducted themselves with great composure and dignity. They were, however, invaded in the evening by the ruthless assemblage, through whom they were compelled to make their retreat. The Mayor had been fully warned of the danger, but made no demonstration of defence. The sworn testimony was that fifty resolute policemen could have saved the building. The Hall was burnt to the ground. Its destruction cost the County of Philadelphia $22,658.27, besides interest and costs.

The rioters continued under excitement, and the next night, the 18th, a body of entire strangers to the locality attacked and set fire to the Friends' charitable institution, called the Shelter for Colored Children, in Thirteenth Street above Callowhill, and considerably damaged the building before the fire was extinguished. And the next evening, the 19th, Bethel Church, in South Sixth Street, belonging to colored people, was attacked and sustained injury.

In 1842, when Rev. Stephen Smith, a person of color, had nearly finished his Hall on Lombard Street, for public and philanthropic meetings, it was fired and burnt down by a negro-hating mob; and the same fire reached Mary Street Presbyterian Church for colored persons, and also burnt it down; and in 1849 the same church was burned, with the California House, by a mob hostile to the people of color. Of course these losses were paid by the County. Now, besides the better protection secured them under the new Charter, the colored citizens are still further assured of their protection by their enjoyment of the elective franchise. They have now, to

a certainty, rights which the white man is bound to respect, and which the law will take care shall be respected.

In the spring of 1843 a riot took place in Kensington. It was a war between labor and machinery, called the Irish weavers' riot. Our young Sheriff, William A. Porter, Esquire, went to the scene of disturbance with his *Posse*. It was his first duty by law to warn the rioters to disperse, by reading a proclamation, in the nature of a riot act. While thus occupied, he and his men were stoned and overpowered by vastly greater numbers; and Mr. Porter was so maimed that he could reach home only with great difficulty, pursued by the rioters, from whom, though they surrounded him, he was well disguised by the change wrought in his appearance whilst trampled under their feet. From exhaustion he was obliged to take shelter in a private house, whence he was compelled to make his escape. They had free scope to destroy the machinery which was the object of their hostility; and when a more formidable force appeared next day, the rioters had vanished.

The great riots which occurred in 1844 arose out of the hostility of the Native Americans, probably aided by Orangemen, against the Catholics. The new party was based mainly in hostility to the Catholics; and they had the imprudence to hold one of their first public meetings in Kensington, May 3d, 1844, where Irish Catholics abounded, and the latter had the greater imprudence and rashness to attack the meeting by an overpowering force. A second meeting was held there on the 6th, and speeches were

made. The Irish renewed the attack with bricks, stones and fire-arms; and George Shiffler was shot and killed and others were wounded. He was regarded as a martyr in the cause of his party. On the 7th the Natives held a large meeting in Independence Square, when the officers and speakers exhorted to peace; but the mass of the meeting adjourned themselves by a common impulse to Kensington, to renew the fight. They met at the Market-house, and were fired upon from the houses, whereupon these were attacked by the Natives; many were wounded, seven killed; many houses and the Market-house were burnt. The military under General Cadwalader appeared at dark and restored quiet, and then the firemen operated. On the 8th, St. Michael's Catholic Church and parsonage were fired and burnt down, and also the Catholic Female Seminary; and the battering and firing of other houses of the Catholics were continued by persons who eluded the military. At ten at night St. Augustine's Church, in Fourth below Vine, and the contiguous houses of the Order of the Brothers of the Hermits of St. Augustine, were fired and destroyed, with their valuable library. St. Mary's, St. Joseph's, Trinity, and St. Philip's Churches, and the Cathedral, were threatened and guarded. On the 10th the Governor arrived, and many companies of soldiers from the country followed from day to day. The damages incurred by the County and City were very heavy, for property destroyed and for the payment and support of the troops. The Hermits of St. Augustine claimed one hundred thousand dollars, and the jury gave them a verdict of $47,433.88. The owner

of the School House occupied by the Sisters of Charity recovered $6468.98; and other damages were recovered, besides a claim by the District of Kensington; the Court excusing the Commissioners from the imputation of neglect, inasmuch as the mob came from the City, and, as the Judge said, "burst upon the District with the suddenness of a thunder cloud." (1 Har. 78.)

At this time the city had a night watch, but no proper police, and such force as it had was confined to Vine Street on the north, and South Street on the south, and between the two rivers. The Sheriff had no police, nor funds to arm or pay a *Posse Comitatus;* and the paltry sum of seventy-five dollars he had spent for Mace, as the beginning of some protection, the County Commissioners had refused to refund him; and when he found himself powerless to act without the military, these hesitated to act, because on former occasions they had not been paid for services, or refunded expenditures; and when they could not refuse the patriotic appeal of Sheriff McMichael, and they appeared on the scene in adequate force, great destruction had already been accomplished. Small matters have been thus referred to that we may now perceive and remember how trivial were our civil preparations of defence against sudden riots; and how absolute was the necessity of a reorganization to concentrate and make effective for self-protection the great inherent powers of the whole community of people, lying in one mass of disjointed corporations.

The hostility that raged in May but smouldered

to break forth in July. A party of Natives had a procession on the 4th, and a picnic in Fisher's woods, north of the City; and encamped on the ground for the night. While sleeping they were attacked and beaten, their property destroyed and flags carried off. This renewed the excitement. Their former enemies were suspected to be the authors of the outrage. The next exciting cause was the discovery, on the 5th, that arms had been taken into the Church of St. Philip de Neri, in Queen Street, west of Second, Southwark. The people gathered by thousands about the Church, and demanded a search; and a supply of muskets, pistols, powder and cartridges was found in it. The military were called out to protect and took possession of the place. The people were entreated by Sheriff McMichael and General Cadwalader to disperse, and were shown great forbearance, though the military were treated with incessant abuse and assailed by missiles. The mob was persistent; but no gun was fired until the night of Sunday the 7th. There were always some friends of order among the mob, party leaders, who undertook to be responsible for the safety of the Church, but who could not control their followers, who entered and fired the Church; but the fire was extinguished. At night the military were disposed of at points contiguous to the Church. The crowd in Queen and Second Streets refused to retire; attacked the Captain of the City Guard and attempted to kill him with his own sword, when the Lieutenant ordered his men to fire; many were wounded, several were killed, and then the mob dispersed. But yet

the more exasperated, they returned with cannons loaded with iron missiles and bottles, which they managed with skill, and moving them secretly in the darkness with muffled wheels, so that the soldiers could not know where to direct their fire until guided by the flash of the enemy's guns. They were also fired upon from windows, alleys, and covert places; and the cavalry were thrown by ropes drawn across the streets. To avert this danger of fire as directed by the flash, the mob discharged their cannons by slow matches, and then, by long ropes attached, suddenly snatched them away for reloading. At one time three cannons were thus simultaneously discharged upon the soldiery, so as to rake the streets from different points. Before daylight these guns were captured, and all was again quiet. During the day, July 8th, a committee came from the Commissioners of Southwark to the Head-Quarters of Governor Porter and General Patterson, at the building of the Girard Bank, with assurances that if the military were withdrawn, the peace could be maintained by the civil authority; and after due consultation they were withdrawn. As in May, the military had been called here from contiguous parts of the State, and application had been made to the United States authorities for aid, which would have been forthcoming. Five thousand of the military were under arms, including several cavalry companies, with the City Troop of cavalry. About fifty persons were wounded, and fourteen were killed, two of them soldiers.

The distressing doubt and uncertainty that existed, paralyzing timely action until riot and arson had done

their destructive work, was, whether it was the Sheriff or Mayor, who had authority to call out the military, or whether either could, and whether the military would not be committing murder. Hence it was the Governor was required to be here, and at that time no telegram could call him here, and time was lost in sending for him. This source of trouble and its dangers are removed by the express authority now conferred upon the Mayor by the City Charter.

Since the date of Consolidation no mob of any magnitude has gained head within the bounds of the enlarged City; though some years elapsed before the Firemen's battles were put down, under the authority conferred by the City Charter. This was delayed by their continuing influence over the elections and Councils.

Though ample authority was conferred by the Consolidation Act, the Volunteer Fire Department has only been fully dealt with within a few years; when the Paid Fire Department was established, accompanied by a Fire Brigade for the protection of goods from theft, and destruction by water, aided by an efficient Police. Most persons of lawful age can remember that it was of very frequent occurrence for hostile companies of firemen to fight their battles along our streets, with paving-stones and fire-arms; and that fires were often kindled that they might have opportunities of fighting out their feuds, or of showing Firemen-visitors from other cities how we put out fires. Sunday was the favorite day for such heroic amusements. And even when fires were serious the exhibitions of the firemen were neither in-

structive to visitors nor safe to the citizens, when companies fought for the possession of fire-plugs while the fire gained head; and they rivaled each other in deluging places with water and destroying goods, after the necessity had ceased. They also permitted thieves under Firemen's uniforms to plunder property they should have saved. Nay, in some instances they refused to extinguish fires, when fires were lighted by mobs with whom the Firemen sympathized, as in the case of the Pennsylvania Hall, and Catholic and African Churches and Schools; or until promised money for their company, as in the case of M. W. Baldwin's Locomotive Factory, while he was a member of the Legislature. Their votes at elections were also, in some instances, said to be influenced by the contributions by candidates to their companies. They were frequent beggars for contributions from the City, the Insurance Companies, and individuals, when politicians unduly yielded, because they feared the loss of their votes, and others feared the refusal of the firemen to extinguish fires, when their property should be burning. It required great independence in the Press and Councils to effect the final disbandment; but they were at last independent, and irrespective of party, good men regarded the true public sentiment, and did the work bravely. Mayor Fox especially deserved credit for his part in this work, for he acted against the general voice of his party. While the writer has been compelled thus to write about the firemen of this City, he is also bound to say, that he remembers a period, more than half a century

ago, when he was also a fireman, and when the firemen were among the most orderly, as surely they were some of the most public-spirited and self-sacrificing citizens; and they continued to be such until after the expiration of the first quarter of this century, and individuals continued to be such at all times; but these did not constitute the body, or characterize that department of service, for many years before and several after the middle of this century. Such a triumph gives encouragement to the people to be ever hopeful for the right, and strengthens our faith in the maxim, "Never to despair of the Republic." Yet we are warned by the recent great fires of Chicago and Boston that our fire-engines should be at once doubled, and the working force be steadily increased, by every proper consideration of safety and economy.

CHAPTER VIII.

OTHER ADVANTAGES OF CONSOLIDATION.

Though the limits of the City expanded at a bound, the minds of the citizens could not be so suddenly enlarged. For generations they had been cramped within narrow sectional limits, and the public functionaries could not at once realize, nor have they yet fully comprehended, the situation. As our water-pipes and sewers have not yet been conformed to the wants of the enlarged City, so have the public servants been slow to follow out the purposes of consolidation. It was not until 1867 that we began to enlarge Fairmount Park, which twelve years ago would have cost some millions less; not until later could we supply the much-needed House of Correction, now built, but not yet in use; we have, since consolidation, built but one bridge over the Schuylkill, and have another unfinished; have done little towards repaving Broad and other Streets; have hardly finished Belmont Water-works, and but begun the East Park basin, so that our present supply of water is not half that which safety requires; and we have but just begun the Public Buildings, and ten years must elapse before they will be ready for occupation. Though there is safety in deliberation, to delay necessary work is seldom true economy. We had, however, the war

of the rebellion to divert our attention and resources, and there was in that large excuse for omitting municipal works.

Water and Gas were formerly furnished in the City and Districts at rates fixed by the local corporate authority, and the Taxes in all were different. The system of Sewage was limited to each, and greatly inadequate in all; as were mostly the supply and distribution of water and gas; while none had a reliable ability to meet the growing wants of all. Nay, not only did they not act with the concert and strength of all, but by jealousy and opposition each was the cause of obstruction and weakness to all others. It was a necessity that the City must have her water and gas supplies from places beyond her area of two square miles; and it will be a necessity that her culverts shall go beyond such limits, when they shall be built, as in time they must be constructed commensurately with the wants of the large City, when more experience abroad and fuller consideration shall demonstrate what shall be the best plan for the entire Sewage system for the enlarged municipality.

The City has, however, begun to construct her great systems of improvement. She has nearly finished the second bridge over the Schuylkill. Many will be required as the City shall extend her buildings and improve her Park. The Water-works have been greatly improved at Fairmount, the dam is being solidly rebuilt; the Belmont Water-works and basins are nearly finished, and are in use; and the East Park basin, of an area of one hundred and six acres, is in course of construction. These are works done

or in hand, to which any one old municipality would have been inadequate. How totally incompetent, then, would either have been to control the purity of the waters of the Schuylkill and secure the requisite supply, when our population shall be two, three, or more millions, with manufactories to be supplied in numbers and magnitude not now to be imagined! The time will come when the vacant stretches of the Schuylkill river, as well as the valleys in the mountains, must be made retaining reservoirs of water, to be drawn upon to meet the deficiencies of the dry seasons; and it may ultimately be that the City must own and control the whole river for an adequate supply of pure water. A due protection from fire will require that all our basins shall be kept full at the dry season.

The true system for the drainage of the City has never yet been fully considered and thought out; and we wait the results of the trials of European Cities. So far we have but enlarged and built culverts upon the old plans, all terminating in the two rivers, polluting their waters, making them an offence, and deleterious to health. They should centre on a low public place, where their fertilizing properties would be received and utilized, and not be lost by evaporation; but be manufactured into manure, and returned to the soil, to restore the loss of perpetual grazing and cropping. The City owes so much to the Country, and has her interest in such economy. These Sewers should not only receive all the excretory matter of the City, but all the drainages of the slaughter-houses and factories; except it be the great

slaughter-houses that should be along the present old Wilmington Railroad, in the meadows of the Twenty-seventh Ward, to which the cattle should be transported in the cars, instead of being driven through the City and the Park; and there the animals, fevered and impoverished by their long Railroad transportation, should be refreshed and restored to good condition by pasturing for a time before being slaughtered. And here also the offal should be utilized.

As a necessary means to protect the supply of water, the Fairmount Park has been purchased and laid out, of a magnitude of nearly three thousand acres. This comprehends parts of four former Districts, and of three Townships. Without the concentrated power and wealth of all the municipalities and townships, united in one City, this great acquisition could not have been made when it was made, on both sides of the river from the Fairmount bridge, and thence some ten miles northward, along the Schuylkill and Wissahickon; and if delayed, it would have soon become impracticable to command the same space it now covers. How much the whole population will be compensated in all future time, in the comfort, health, and enjoyment of pure water, fresh air, and beautiful scenery, transcends all estimate; but certainly, compared with its advantages, its cost will be insignificant. The old City, and the remote Districts and Sections, with their natural selfish jealousies, could never have been brought to a concert of action for such an achievement. And now soon, in 1876, that Park will afford the site for the Centennial Celebration, justly expected to be such

as will not be again seen until the lapse of another century shall call for a second like exhibition. Next to the Hall of Independence the Fairmount Park will be the cause of attracting the greatest Industrial Exhibitions this Continent will ever behold. The Park, too, will have its own future history, written with ample materials. It will teach its own sciences and other refining culture; and constantly refine and improve the whole population. It will cultivate the taste of all in the beauty of its landscapes; make the people more happy and healthy; cause them to live longer and love each other better; for happiness thus consciously derived from the contributions of all is ever sympathetic and kind. It will teach landscape gardening, the fine arts, botany, and zoology; it will be a beneficence not only to our citizens, but to those of the State and Country, and to visitors from all parts of the world, and, as nothing else, will elicit the gratitude and praise of mankind towards our City.

In respect to the water supply protected by the Park, a kind Providence also seems to intervene with His beneficence for the descendants of the colonists of Penn. The sulphurous and acid mine water of Schuylkill County is not permitted to reach us with its poisonous ingredients; but these are neutralized by the lime-water of Berks, with just enough of foreign elements left at the City to coat our lead pipes, and keep us secure from lead-poison. The treasures of coal laid up for our fuel in the remote geological ages we may freely mine, and yet find our water purified by the chemistry of nature by the

wide-spread lime-strata interposed for our protection, and all the better for the counteracting treatment it has undergone, and the action of mineral upon organic matter. Truly, Philadelphia was a happily chosen site, much more favored than the good Founder knew; and her remoteness from the sea will be her future security, while steam-power will readily overcome the distance,—the City, in this power, also enjoying an advantage unseen by the Proprietary. He, judging wisely, as to all he saw, was yet better guided than in his day he could possibly foreknow. As little could he foresee the railways we see radiating from this centre to all points of the compass, reaching to the remotest points of the Continent, and pouring into his Port the products of coal, oil, iron, grain of the interior, and even the teas, spices, and silks of the far East by the golden gate of the farthest West. Neither could William Penn imagine the possibility that man could draw from the great reservoir of nature the lightning of the clouds, and make it bear his messages instantly over the world, to quicken commerce, to counteract social disorders, and to maintain the peace at home and over the world. With such elements of power and growth, concentrating in our City, the idea seems to us now quite preposterous to limit our City to an area of two square miles.

Now, taking our retrospect from the date of the Charter for the enlarged City with its enlarged powers, its history has had to chronicle no mob of any serious magnitude; there has been a constant improvement in the Fire Department; the larger city

has had fewer fights and fewer fires, and recently there has been greatly diminished destruction of property by fire and water. There have been better municipal and sanitary measures adopted. Measures for the increase of trade; for the extension of our shipping facilities from the railroads along both rivers towards, and even to, the mouth of the Schuylkill; for the greater supply of water and gas; for the increase of drainage; for greater facilities of education, and provisions of humanity for the poor and sick, and a large Park for health and enjoyment, are the works achieved, and to be accomplished, because no longer thwarted by local jealousies, nor prevented by deficiency of power. We are now but one municipality, and wherever work shall be done, or money be expended, or trade be led and increased, or manufactories be promoted, all will be done for the single City and for the benefit of all. The claims of all sections must be considered in the distribution of the Municipal works and expenditures; and every improvement and success will gratify the feeling of every citizen who has the public spirit to love his City, or the religion that teaches us to love our fellow beings and rejoice in their success; and all will add to the wealth and greatness of our own Philadelphia.

The establishment of the Survey Department was a favorite measure with the writer of this narrative. The surveyors of the City and Districts claimed many of their plans and records of surveys as their private property, and they were subjects of sale to their successors, or might remain in private hands. The public suffered loss in this way, and individuals were

often left without certain proof of the lines of their property. Owners of rural lands laid out plots and improved, in certain sections, or influenced the surveys of plots, with a view to the most profitable sales of their grounds. Now all City plans must come before the Board of Surveys, composed of the Chief Engineer and Surveyor, and all the District Surveyors, which commands the knowledge and skill of all, to insure the best systems of streets, grades, surface drainage, and underground sewers; while all these must be the special study of the Engineer-in-Chief. These systems will secure harmony and fitness of work, and prevent much future loss in the destruction of work done without regard to an ultimate plan for the whole. Mr. Kneass has done much to establish this Department. Surveys of lots are now preserved in the central office, and every owner's property will, when the work is completed, be found plotted there in books, easily referred to by indexes, and this record will in all the future establish the lines of ownership, as well as constitute a certain basis for the ascertainment of property and ownership for the assessment and the collection of taxes. This work is always to be kept up to the latest moment, for every deed of conveyance is required by law to be registered and plotted in the Survey Department, before it can be recorded. None can now, as many formerly did, escape a ratable share of the public taxes.

The valuations of real estate within the City returned by the Board of Revision at the close of 1872, will indicate the growth of the City in wealth com-

pared with the aggregate of the whole City and County in 1854, though the difference be partly owing to the more full and faithful valuations now made. In 1853 the aggregate valuation was $128,-218,658; in 1872 it is $518,234,568. This Board for the revision of the Taxes is an outgrowth of Consolidation, created by a Law prepared by a Commission appointed by Mayor Henry, under an Ordinance of City Councils, consisting of Eli K. Price, Joseph A. Clay, Andrew D. Cash, James C. Hand, and William Bucknell. It was created by act of 14th March, 1865. The Board can control the work of the assessors; can equalize the valuations of the Wards with each other, and every several property in comparison with others; can see that none are omitted, and that no favor shall be shown to one owner above another. The appointment of the members being in the Court of Common Pleas, there are no political changes in it, and the incumbents become and continue to be well acquainted with their duties. Thus far they have been intelligent, honest, independent, and wise. The character and stability of this Board make it a valuable source of information to the public, and of increase of the City's revenue. Yet they have observed the wise policy of not valuing manufacturing apparatus and machinery, whereby large encouragement is given to the establishment of manufactories within our City limits; where fuel, water, iron, etc. are abundant at low prices. The above valuations do not include properties exempted from taxation; exempted because belonging to the public, or held for charitable or religious uses. Their valuation is

$54,488,329. It would be worse than idle to tax Public property, as the same Treasury would then both pay and receive; it would be an obstruction to the progress of civilization and the preservation of good order and humanity to tax Schools, Churches, Hospitals. No taxes collected can be made to do more good than these do; and it is due to those deep sentiments which most secure human well-being, that the youth should be educated; that those of all ages should be preserved religious; that the sick, wounded, aged, and dying should have shelter, support, medical treatment, and comfort; and that all the dead should rest securely in their graves. If any property that ministers to any of these objects could be taxed, it could be sold by the sheriff, and its sacred use be utterly destroyed.

Though our system of public schools had been a good one, partly because not limited in its scope to any local municipality, more and better school houses have been built by the combined power acting as one City; and lately a more elevated liberality has been displayed by the Councils than ever before. The Alms House had long been a place of useful study and experience to the medical and surgical students; but within the present year the City has vested a square of contiguous ground in the University of Pennsylvania, to be used as a Hospital, the consideration being the reception and treatment there of a certain number of poor patients, who would otherwise be a charge to the City; and there the medical students will hear the Clinical lectures of the Professors. Philadelphia is about to be reassured of her

pre-eminence as a great centre of medical and surgical instruction, in competition with the enterprise of other large cities. She yet wants, but in time will have, a Hotel for strangers, where patients of ability to pay, shall have the comforts of home, with home quietude, and fresh air, as well as medical and surgical treatment, by physicians and surgeons of their own choice. The University has enlarged, and is continuing to enlarge, her sphere of Scientific instruction, with eminent Professors; her citizens and the State have made large contributions towards her objects, and we may confidently look forward to the period when we shall cherish a just pride in our highest school of science and learning.

Another Municipal Board followed Consolidation, of great public utility, the Inspectors of Buildings. The Act creating it, and which exacts of the Inspectors the duty of enforcing its provisions, defines the thickness of the walls; requires them to be substantial; to be just in the construction of walls between adjoining owners; requires the division wall to be carried at least ten inches above the roof, and such parapet elevation to be covered by stone or metal; so as effectually to prevent any connection of the roofing or wooden cornice of any two or more houses; nor shall it be lawful for any person to build any wooden joist, rafter, beam or girder in any chimney or flue whatever. And the storage of gunpowder, saltpetre, and petroleum has been placed under stringent regulations. The late experiences as to fires indicate the necessity of yet greater precautions for safety from the spread of fires, and especially in the

avoidance of all Mansard and other roofs of wood. Bricks, by these severest tests, are restored to favor as the most fire-proof material for buildings, since marble, sand-stone, and granite crumble, and the metals are melted, beneath the force and fury of such fires as those of Chicago and Boston.

CHAPTER IX.

CONCLUSION.

The writer would further here express his opinion that the preservation of the history of Philadelphia has been quite too much neglected by her citizens. Newspapers to which few have access are the chief resource of information to any one who would attempt the task of chronicling civic events; and these are widely scattered and traceable by no index. There are many decades of our City's history of which we know next to nothing, and we never shall know more. We know little of generations of good and wise men, whom we know to have here lived, and who faithfully performed their duties in their age, but whose many good deeds have been buried with them. And of the last decade, the most eventful of the nation's history, in which our City acted the most patriotic and distinguished part, to maintain our common Government, and as consequence now bears the burden of eleven millions eight hundred thousand dollars of debt incurred to fill the Armies of the Country with soldiers, and support their wives, widows and children, who will write its History? who will do justice to those memorable years? The materials are abundant, and we have many citizens among us who acted a distinguished part in those events,

some of whom have the ability to narrate them as they should be written. The City will expect one or more of them to perform this duty to our age and to posterity. This period is only here further to be referred to, in its relation to the purpose of the present narrative, with the congratulation that at a time when citizens were at deadly enmity according to their sympathies with the respective belligerents, there was in our streets no bloody strife, or incendiarism; and the whole power of the community was exerted as a unit in the service of the nation, with few individual exceptions. No city or citizens can deserve from the pen of the historian higher approbation and honor, than he will justly bestow upon Philadelphia and her people, for their deeds during the war of the slaveholders' rebellion. Of this war we can with approximate accuracy count the fearful cost in life and treasure; but who can count the widows and orphans bereft of husband, father and protector? and who again can estimate the benefits to all of the secured stability of the national Government and the prestige of its power over the civilized world? who can calculate the blessings to humanity and the acquisitions to liberty, secured by the amendments to the national Constitution, with their guarantied permanence by the repeated expressions of the voice of the nation? Out of great evils the Almighty has brought great good, transcending all previous human expectation.

This narrative must here close. The history of the City's Consolidation should have an abiding interest for citizens of Philadelphia, on many accounts.

The grounds of its achievement should be the reasons of its perpetuation. The objects of the City's re-foundation should be kept in view for their yet more perfect fulfilment. The evils intended to be suppressed are not to be forgotten; and if any of the suppressed or other evils should reappear they should be met promptly and efficiently in their first presentation. Our thousand or more policemen under one head, with the quick warnings of the electric telegraph, will suffice to meet riotous proceedings before they reach to a dangerous head; and as the City grows the number of the police will be increased. If these need to be supported by the military, a single Executive can instantly command their service. Under the existing system firemen's riots cannot occur. With the use of Steam Engines, a few men can perform the required service; and under command of efficient officers their discipline is assured. Besides, their compensated service and the necessity they are under of preserving order and obedience to procure livelihood, will always secure good character and orderly conduct. With one jurisdiction the criminal can no longer cross a near invisible line, and then turn to defy and deride his official pursuer. Still great, very great, evils may, and will, and do assail us. The machinery of government may be the best that can be framed by man; yet if the public servants lack ability and vigilance it will not work well. If the life of the living body become corrupt the canker is deadly, and must be utterly exscinded to save the life. That duty of excision rests with the people, and their vigilance is of ceaseless

necessity; a duty to be executed fearlessly and as unsparingly as we deal with criminals who commit theft, burglary, or arson.

This delinquency is the most dreadful depravity that a Republic can have to deal with; for it is treason to the fundamental principle of free government, that of trust in the public servants. When the sense of honesty in these is lost, those elected to protect the public become its deadly enemies; and besides the instincts of the thief these incur the odium of the meanness of treachery, falsehood, and deception. The official who steals the public money commits the crime of theft and also betrays a public trust; is guilty of treason to his own manhood, for he loses all sense of honor. If infamy can have its grades, his must be the lowest. He also commits treason to the Republic, imperils law and liberty, and makes way for despotism. Such an one should find no forgiveness; and his crime should be accounted an unpardonable sin. No political party can permit its public representatives to become corrupt, and live long in the confidence of the people; and they are the best friends of any party who will insist upon its being thoroughly purged of all corruption. Let all parties take a lesson of greatest value from the triumph of Consolidation. Because the existing political parties, in their party organizations, would not obey the repeated voice of the people, the people took the measure into their own hands, and cut out their solid majority from the disciplined ranks of all parties. What was then done can and will be done, again and again, rather than that chronic corruption shall

exist in public places, or in the ballot. Were these the last sentiments I had to leave with my fellow-citizens, I would utter them as my most solemn warnings, and pray that they may never be forgotten.

I pray Almighty God to protect our beloved City of Philadelphia; to preserve her from every calamity; to confer upon her every blessing; and to preserve the virtues of her people. I especially pray that, as in the beginning she was founded and built and governed by good men in the great interests of civilization and justice, of liberty, religion, and humanity, so may our city be preserved to be the home of those sacred blessings, and to secure the greatest sum of human welfare and happiness through the ceaseless centuries of Time!

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